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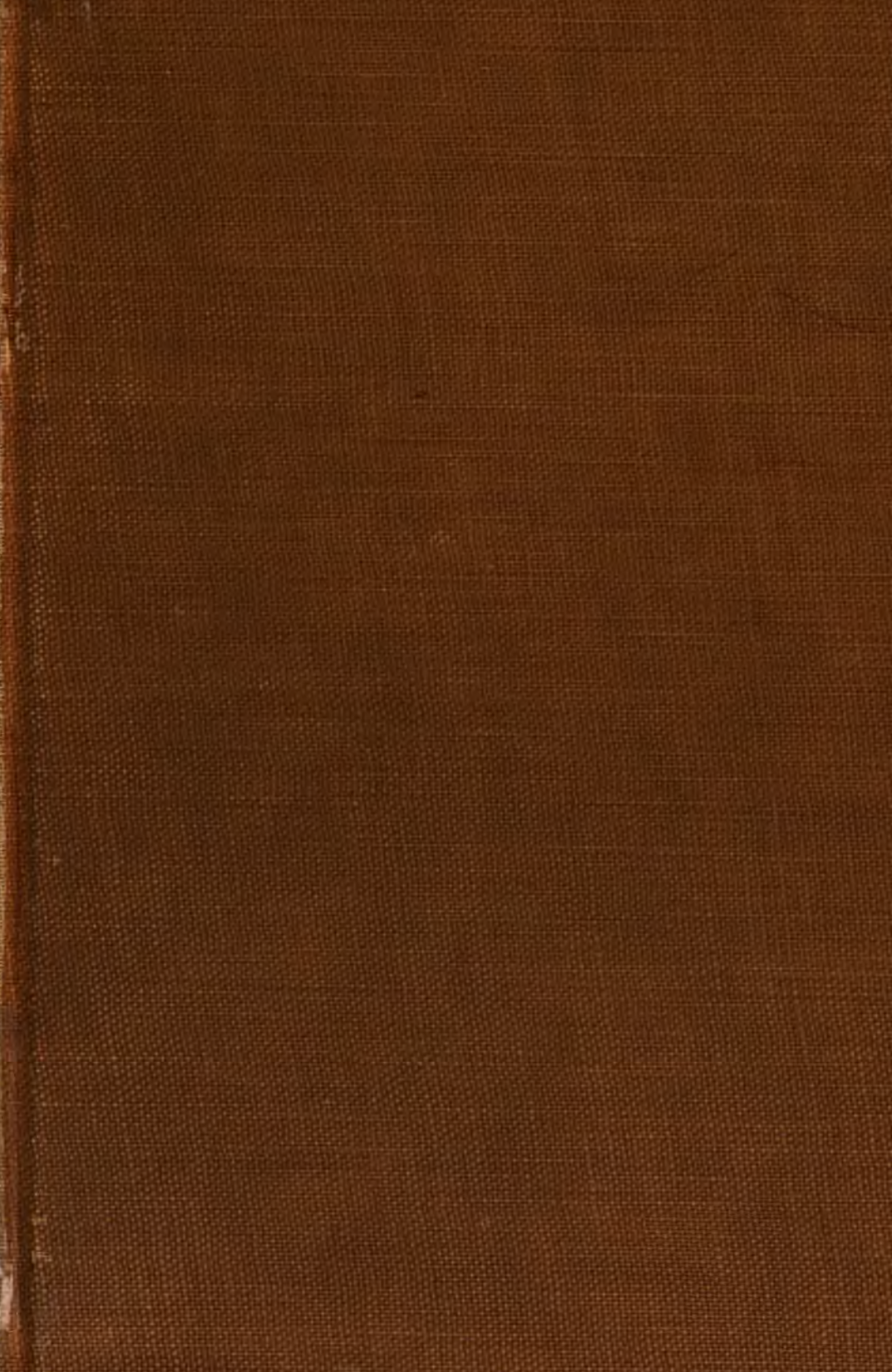
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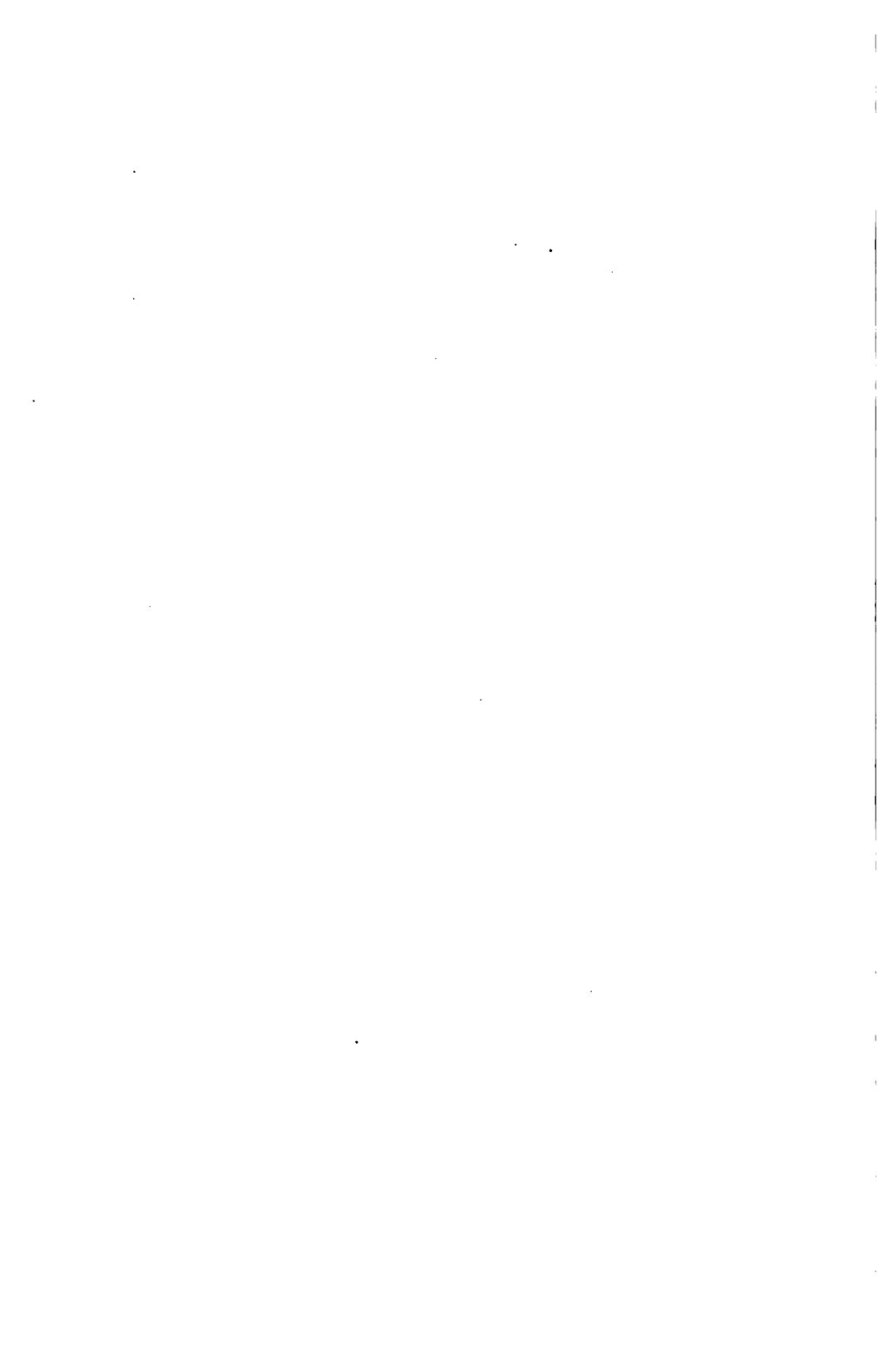
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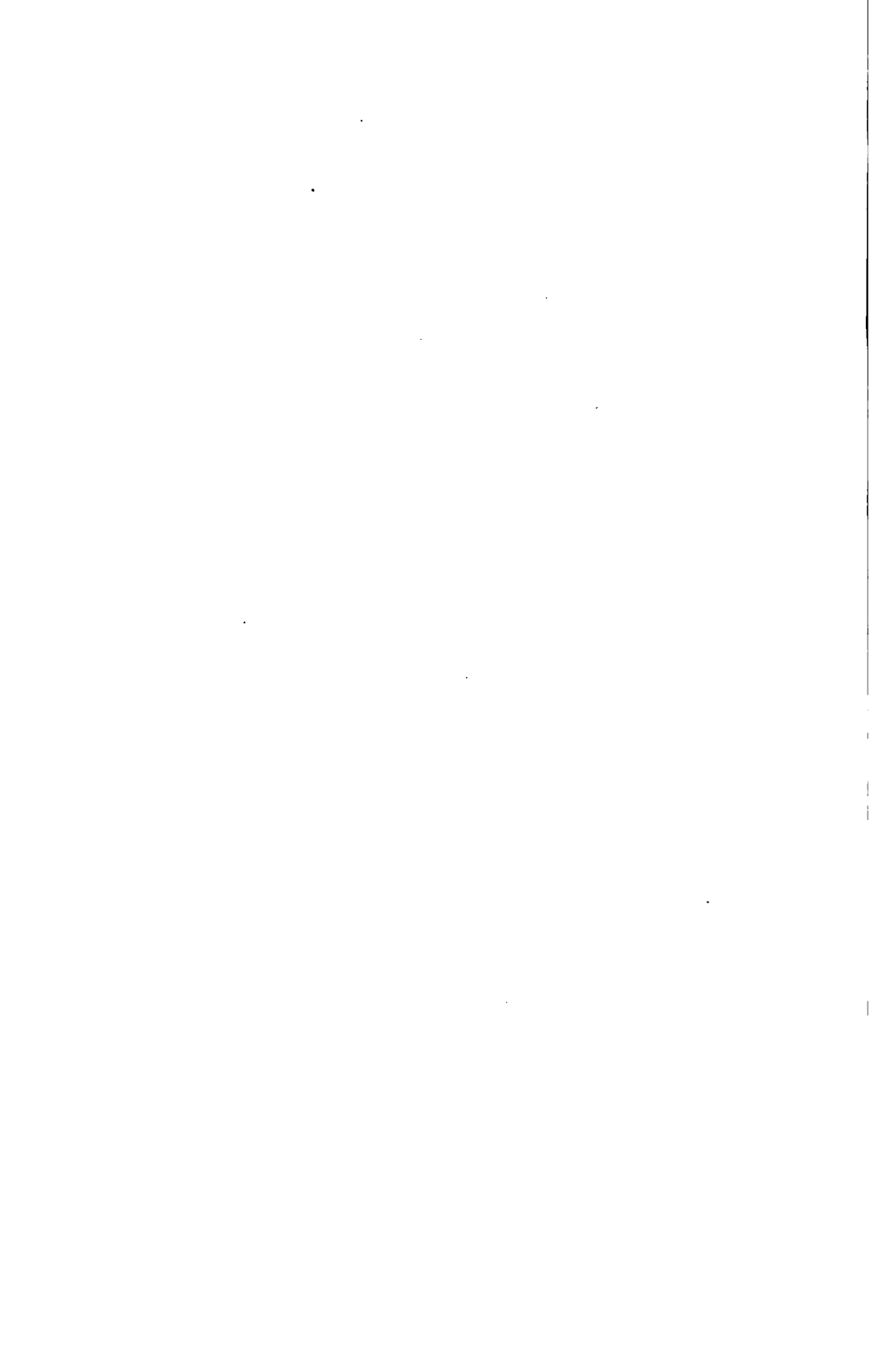


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LAW-LATIN

A TREATISE IN LATIN

WITH

LEGAL MAXIMS AND PHRASES

AS A BASIS OF INSTRUCTION

THIRD EDITION.

BY

E. HILTON JACKSON, A.M. L.L. M.,

OF THE DISTRICT OF COLUMBIA BAR.

WASHINGTON D. C.,
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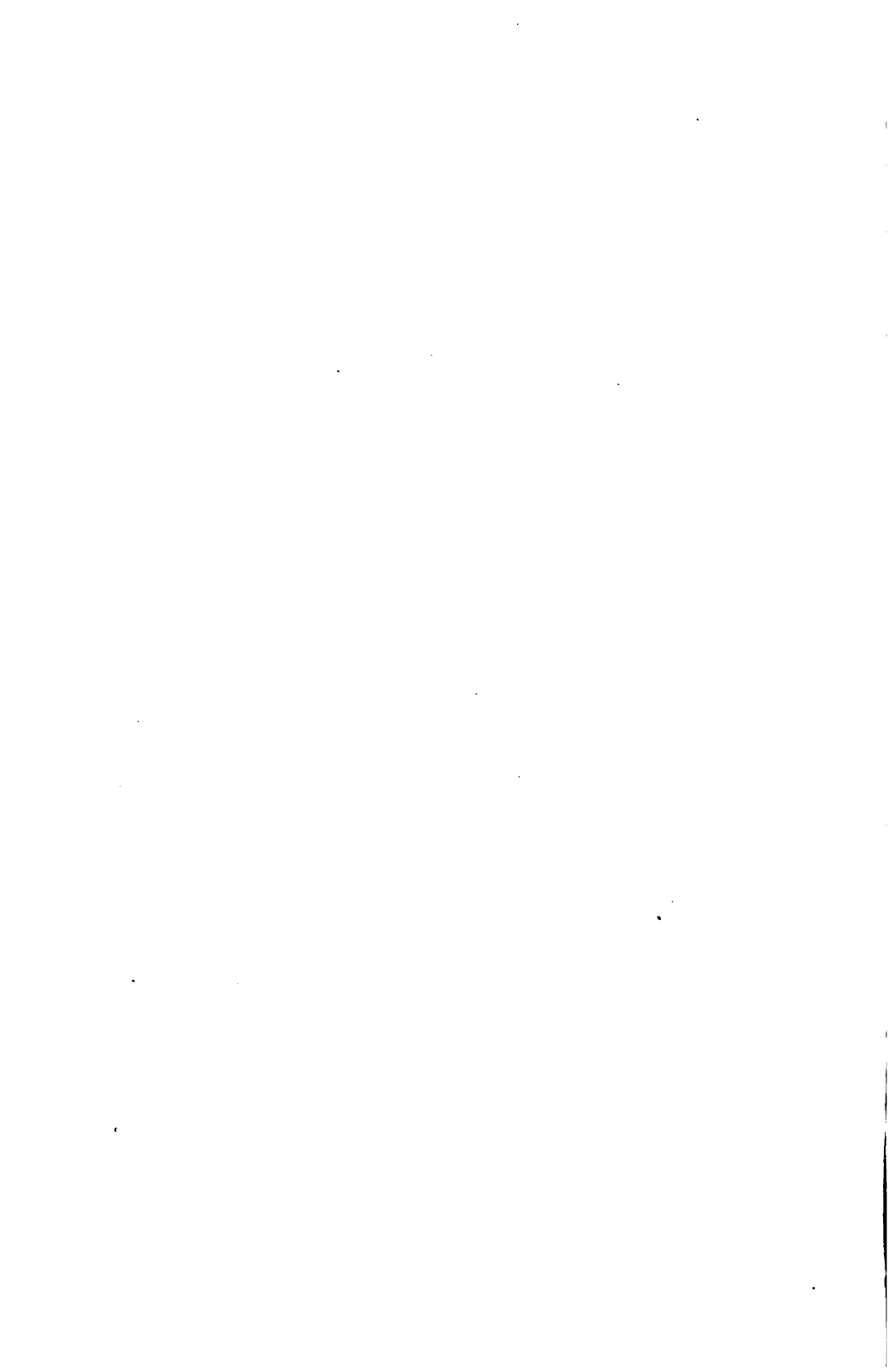
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E. HILTON JACKSON.

TO
WILLIAM A. MAURY, LL.D.,
Counsellor at Law,
Professor of Law in the Columbian University, and formerly Assistant
Attorney-General of the United States, I respectfully
dedicate this book.



PREFACE.

This little book consists of a course in Latin, in which legal maxims and phrases are used as a basis of instruction. It is not designed to give a complete course in the Latin Language, and is intended chiefly to benefit law students and some of the younger members of the profession, who have not a working knowledge of Latin, by making them familiar with the fundamental principles of the language, while at the same time employing as material of instruction those maxims and phrases met with daily in practice and in the leading text books.

The maxims and phrases thus utilized comprise substantially all of those annotated in Wharton's & Broom's Legal Maxims, and, besides, many others, three hundred and eighty-five in all, in selecting which, their importance in a legal aspect has been constantly borne in mind.

These maxims have been conveniently divided into thirty-two lessons, conducting the student by a gradual and easy process from the more elementary principles of etymology to some of the more involved constructions of syntax.

The lessons contain references, so far as may be found serviceable to a correct translation, to the rules and principles of Etymology and Syntax, collated in a

PREFACE.

single part of this book. More of these rules and principles have been introduced than will be found indispensable to an intelligent study of the lessons, thus making the course as expansive as the inclination of the student or the discretion of the instructor may suggest.

For convenience, the legal aspect of every phrase and maxim has been set forth, thus avoiding the necessity of references to a book of maxims to gain this information. It should be said, however, that the author in thus annotating the phrases and maxims, has striven for accuracy and brevity rather than originality or exhaustive treatment, and has drawn largely upon the labors of others who have preceded him in this field, being especially indebted to Broom and Wharton, to the Law Dictionaries of Bouvier and Anderson, and also to many other sources of information, for which due credit has been given in the appropriate place, so far as practicable.

The English method of pronunciation is suggested as being of the greatest service to members of the profession in the United States, and, looking to this end, its principles have been set forth in the introductory part, following substantially the presentation in Harkness' Latin Grammar, for which acknowledgments are here made.

The hope is earnestly indulged, and is justified by the author's actual experience, that the thorough student will become a master of this English method of pronunciation, and, in addition to the knowledge of Latin

PREFACE.

acquired, will, by reason of the constant use of these maxims in the class room, have at his tongue's end information that may be considered an almost indispensable part of the equipment of every successful practitioner.

My heartfelt thanks are due to my friend, Professor Andrew P. Montague, LL.D., Professor of Latin and Dean of The Columbian College, whose profound scholarship and intelligent sympathy have done much to lighten the labors of the past few months.

If this work shall, even in a slight degree, have a tendency to bring the young men of the legal profession to a livelier appreciation of the maxims of the law—"Those unerring principles of truth, in accordance with which all laws now and hereafter to be made will be interpreted"—the author will feel fully compensated for the time and labor expended.

E. HILTON JACKSON,

JUNE, 1897.

Washington, D. C.

PREFACE TO THE SECOND EDITION.

Several years ago the author gave to the public the results of his labors in this new field of education with some misgivings. These misgivings arose, however, not from any want of confidence that the field was not of sufficient importance to justify pioneer work, but rather from the fact that the subjects required in the curricula of our law schools had been multiplied to an alarming extent, thus making it almost impracticable to introduce any new text-book, although the subject might be regarded as vital as well as elemental. It is with gratification, therefore, the author is able to announce that the book has met with a reception both among educators generally and in the law schools that has surpassed his expectation. He has gladly availed himself of the criticisms that have been passed upon the book and has endeavored so far as practicable to eliminate from this edition all objectionable features. Besides, he has added a translation of the phrases and maxims and a key to the abbreviations. In all cases it has been impossible to give a literal translation and at the same time preserve the meaning. It is believed that the translations, considered in connection with the annotations, will give the student a thorough knowledge of many of the fundamental principles of law. The student of law should be grounded in principles rather than have his memory burdened with a multiplicity of subjects which in their last analysis may be resolved into a few fundamental maxims. The author has been grat-

PREFACE TO THE SECOND EDITION.

ified to learn, notwithstanding the limitations imposed upon him by the scope of this work in the selection of the phrases and maxims contained herein, that it has found a place in many libraries as a book of phrases and maxims. He may, perhaps, reiterate here without impropriety what was said in the former preface as to the purpose of the book: "It is not designed to give a complete course in the Latin language, and is intended chiefly to benefit law students and some of the younger members of the profession, who have not a working knowledge of Latin, by making them familiar with the fundamental principles of the language, while at the same time employing as material of instruction those maxims and phrases met with daily in practice and in the leading text-books."

E. HILTON JACKSON.

October, 1905.

PREFACE TO THE THIRD EDITION.

There has been such a vast increase in recent years in the subjects taught in the law schools that the author did not dare to hope when "Law Latin" was first published thirteen years ago it would find a permanent place in legal education. Experience, however, has abundantly demonstrated the utility of such a book, not only to the law student, for whom it was primarily designed, but also to the practitioner, who finds a facility in pronouncing and translating legal maxims of great advantage in the preparation of briefs and in the presentation of cases in the courts. The words of commendation passed upon the book by members of the bar and legal educators in institutions where the book has been used has led the author to hope that it will be of still further service in our law schools. It has been abundantly demonstrated that, whatever may be said of the lack of the practical use of the classics in these days of modern industrial competition, an intelligent knowledge of the fundamental principles of the language used by the Romans will ever remain a vital part of the education of every well equipped lawyer.

It is believed that the annotations, some of which have been enlarged and extended in the present edition, will convey an adequate idea of the legal principles involved. Where a maxim is used by the law writers with some variation, the author has endeavored to select the most approved phraseology.

Without holding him in any way responsible for the many imperfections of the present edition, the author takes this opportunity to express his grateful acknowledgments to Professor Charles A. Graves, of the Law Department of the University of Virginia, who, in addition to intelligent criticism upon the legal principles sought to be enunciated, has afforded the author much assistance because of his ripe experience as a classical scholar.

To those who possess already a working knowledge of the Latin language it is believed the book will be found useful as a table of important legal maxims, which have been annotated and translated in a separate part of the book.

E. HILTON JACKSON.

Washington, D. C., September, 1910

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PRONUNCIATION.

PRONUNCIATION.

1. **ALPHABET.**—The Latin alphabet is the same as in English, except that it has no *w*.

In the classical period one form *i* served for the vowel *i* and the consonant *j*, but for convenience both forms are used in this book.

U and *v* were also denoted by the same form *v*, but the modern distinction has been retained in this book, *u* being used as a vowel.

The Liquids are *l, m, n, r*.

The Mutes, *p, b, t, d, g, c, k, q*.

The Vowels, *a, e, i, o, u, y*.

No further division of the consonants will be found serviceable in this treatise.

2. **THE ENGLISH METHOD OF PRONUNCIATION.**—Vowels usually have their long or short English sounds.

3. **LONG SOUNDS.**—Vowels have their long English sounds—*a* as in *fate*, *e* as in *mete*, *i* in *pine*, *o* in *note*, *u* in *tube*, *y* in *type*—in the following situations :

1. In final syllables ending in a vowel, *ae, ei, sér-vi, sér-vo, cór-nu, mí-sy*.

2. In all syllables before a vowel or diphthong: *Dé-us, de-ó-rum, dé-æ, di-é-i, ní-hi lum*

3. In penultimate syllables before a single consonant or before a mute followed by a liquid: *Pá-te, pá-tres, Á-thos. Ó thrys*.

PRONUNCIATION.

4. In unaccented syllables, not final, before a single consonant, or before a mute followed by a liquid: *Do-ló-ris*, *cór-po-ri*, *cón-su-lis*, *a gríc-o-la*.

a. A unaccented, except before consonants in final syllables, has the sound of *a* final in *America*: *mén-sa*, *a-cú-tus*, *a-má-mus*.

b. *I* and *y* unaccented, in any syllable except the first and last, generally have the short sound: *nób-i-lis* (*nób-e-lis*), *Ám-y-cus* *Ám-o-cus*.

c. *I* preceded by an accented *a*, *e*, *o* or *y*, and followed by another vowel, is a semivowel with the sound of *y* in *yet*: *A-chá-ia* (*A-ká-ya*), *Pom-pé-ius* (*Pom-pé-yus*), *La-tó-ia* (*La-tó-ya*).

d. *U* has the short sound before *bl*, and the other vowels before *gl* and *tl*: *Pub-líc-o-la*, *Ag-lá-o-phón*, *Át-las*.

e. *U* in *qu*, and generally in *qu* and *su*, before a vowel, has the sound of *w*: *qui* (*kwi*), *gua*; *lín-gua* (*lín-gwa*), *lín-guis*, *suá-de-o* (*swá-de-o*).

f. Compound Words.—When the first part of a compound is entire and ends in a consonant, any vowel before such consonant has generally the *short* sound: *a* in *áb-es*, *e* in *réd-it*, *i* in *ín-it*, *o* in *ób-it*, *pród-est*. But those final syllables, which, as exceptions, have the long sound before a consonant, retain that sound in compounds: *póst-quam*, *hós-ce*. *É-ti-am* and *quó-ni-am* are generally pronounced as simple words.

4. **SHORT SOUNDS.**—Vowels have their short English sounds—*a* as in *fat*, *e* in *met*, *i* in *pin*, *o* in *not*, *u* in *tub*, *y* in *myth*—in the following situations:

1. In final syllables ending in a consonant:

PRONUNCIATION.

Á-mat, á-met, réx-it, sol, cón-sul, Té-thys; except post, es final and os final in plural cases: res, dí-es, hos, á-gros.

2. In all syllables before *x*, or any two consonants except a mute followed by a liquid: *Réx-it, bél-lum, rex-é-runt, bel-ló rum.*

3. In all accented syllables, not penultimate, before one or more consonants: *Dóm-i-nus, páti-ri-bus.* But

(a.) *A, e* or *o* before a single consonant (or a mute and a liquid), followed by *e, i* or *y* before another vowel, has the long sound: *á-ci-es, á-cri-a, mé-re-o, dó-ce-o.*

(b.) *U*, in any syllable not final, before a single consonant or a mute and a liquid, except *bl*, has the long sound: *Pú-ni-cus, sa-lú-bri-tas.*

(c.) Compounds; see 3, f.

5. DIPHTHONGS.—Diphthongs are pronounced as follows:

Æ like *e*: *Caé-sar, Daéd-a-lus.*

Œ like *e*: *Oé-ta, Oéd-i-pus.*

Au as in author: *aú-rum.*

Eu as in neuter: *neúter.*

1. *Ei* and *oi* are seldom diphthongs, but when so used they are pronounced as in *height, coin, hei, proin.*

2. *Ui*, as a diphthong with the long sound of *i*, occurs in *cui, hui, huic.*

5. CONSONANTS.—The consonants are pronounced in general as in English. Thus—

I. *C* and *G* are soft (like *s* and *j*) before *e, i, y, æ* and *œ*, and *hard* in other situations: *cé-do,*

PRONUNCIATION.

et-ris, Cý-rus, cas do, cas-pi, á-ge (á-je), á-gi; ad-do (ka-do), có-go, cum, Gá-des. But

1. *C* has the sound of *sh*—

a. Before *i* preceded by an accented syllable and followed by a vowel: *só-ci-us* (só-she-us).

b. Before *eu* and *yo* preceded by an accented syllable: *ca-dú-ce-us* (ca-dú-she-us), *Sic-y-on* (Sish-y-on).

2. *Ch* is hard like *k*: *chó-rus* (kó-rus), *chios* (kí-os).

3. *G* has the soft sound before *g* soft: *ág-ger*.

II. *S, T* and *X* are generally pronounced as in the English words *son, time, expect*: *sá-cer, tí-mor, réx-i* (rék-si). But—

1. *S, T* and *X* are aspirated before *i* preceded by an accented syllable and followed by a vowel—*s* and *t* taking the sound of *sh*, and *x* that of *ksh*: *Ál-si-um* (Ál-she-um), *ár-ti-um* (ár-she-um), *ánx-i-us* (ánk-she-us). But—

a. *T* loses the aspirate (1) after *s, t* or *x*: *Ós-ti-a, Át-ti-us, míx-ti-o*; (2) in old infinitives in *ier*: *fléc-ti-er*; (3) generally proper names in *tion* (*tyon*): *Phi-lís-ti-on, Am-phíc-ty-on*.

2. *S* is pronounced like *z*—

a. At the end of a word after *e, æ, au, b, m, n, r*: *spes, præs, laus, urbs, hí-ems, mons, pars*.

b. In a few words after the analogy of the corresponding English words: *Cas-sar, Cæsar*; *caú-sa, cause*; *mú-sa, muse*; *mí-ser, miser, miserable, etc.*

3. *X* at the beginning of a word has the sound of *z*: *Xán-thus*.

LESSON I.

First and Second Declension.

7. Decline *persóna*, *amicus*, *interrégnum*. (98),
(99).

Learn present indicative of *esse*. (120).

8. 1. *Bóna*; *bónua*.
2. In *persónam*.
3. In *Ánglia* non est *interrégnum*¹.
4. Per *mínas*.
5. A *ménsa*² et *thóro*³.
6. A *vínculo*⁴ *matrimónii*⁵.
7. *Commodátum*.
8. Ab *inítio*⁶.
9. *Impérium* in *império*⁷.
10. *Arbítrium* est *judícium*.
11. In *fóro cónsciéntiæ*⁸.
12. In *futúro*.
13. *Dámnum* *síne injúria*.
14. *Amicus* *cúriæ*⁹.

9. a or ab, prep. w. abl., *from*, *by*
amicus, -i, m. *friend*.
Ánglia, -æ, f. *England*.

¹See 132, I.

²See 132, XIX.

³See 132, VII.

⁴See 132, XXIV.

⁵See 132, VIII.

⁶See 132, X.

FIRST AND SECOND DECLENSION. *Sum.***arbitrium**, -i, n. *award.***bóna**, -órum, n. *goods, property.***bónus**, -i, m. *bonus.***commodátum**, -i, n. *loan.***consciéntia**, -ae, f. *conscience.***cúria**, -ae, f. *court.***dámnum**, -i, n. *loss, damages.***et**, conj., *and.***fórum**, -i, n. *forum, court.***futúrum**, -i, n. *future.***impérium**, -i, n. *government, state.***in**, prep. w. acc., *into, to, against*, i. e. *motion.*w. abl., *in, on*, i. e. *rest.***initium**, -i, n. *beginning.***injúria**, -ae, f. *injury.***interrégnum**, -i, n. *interregnum.***judícium**, -i, n. *judgment.***matrimónium**, -i, n. *marriage, matrimony.***ménsa**, -ae, f. *board, table.***mína**, -ae, f. *threat.***non**, adv., *not.***per**, prep. w. acc., *through, by.***persóna**, -ae, f. *person.***sine**, prep. w. abl., *without.***thórus**, -i, m. *bed, couch.***vínculum**, -i, n. *bond, chain*

LESSON II.

Adjectives of the First and Second Declension

10. Decline *bónus* and *málus*. (107).

Learn present indicative active of *mádo*.
(120).

11. 1. *Málo*¹ *ánimo*².2. *Ignorántia fácti excúsat*.3. *Mandámus*.4. *Pro bóno público*³.5. *Mála grammática non vítiat chártam*⁴.6. *Arguméntum ad ignorántiam*.7. *Dóna clandestína sunt sémper suspiciósa*.8. *Térra firma*.9. *Própter ódium delicti*.10. *Ex officio*⁵.11. *Injúria non excúsat injúriam*⁶.12. *Vía antíqua est túta*.13. *Sciénter*.12. *ad*, prep. w. *ac*, *based upon, according to*.*ánimus*, -i, m, *intent, mind*.*antíquus*, -a, -um, adj., *ancient, old*.*arguméntum*, -i, n. *argument*.*bónus*, -a, -um, adj., *good*.¹See 132, IV.²See 132, XVIII.³See 132, XVII.⁴See 132, II.⁵See 132, XVII.

chárta,-æ, f. writing, instrument, deed.
clandestinus,-a,-um, adj., secret.
delictum,-i, n. offense, crime.
dónum,-i, n. gift.
dum, conj., while.
ex, prep. w. abl., by virtue of.
excúso,-áre,-ávi,-átum, excuse, condone.
fáctum,-i, n. fact.
fírmus,-a,-um, adj., firm, solid.
grammática,-æ, f. grammar.
ignorántia,-æ, f. ignorance.
málus,-a,-um, adj. bad, evil.
mándo,-áre,-ávi,-átum, command.
ódium,-i, n. odium.
offícium,-i, n. office.
pro, prep. w. abl., for, on behalf of.
públicus,-a,-um, adj., public.
própter, prep. w. acc., on account of.
sciénter, adv., with knowledge, knowingly.
sémp(er), adv., always.
sunt, (they) are.
suspiciósus,-a,-um, adj., suspicious.
terra,-æ, f. land.
tútus,-a,-um, adj., safe.
via,-æ, f. way, road.
vítio,-áre,-ávi,-átum, vitiate, make void.

LESSON III.

Third Declension.

13. Decline *lex, visitatio, homo, rex, mens, consuetudo*. (100), (101), (102).

Learn future and perfect indicative active of *mādo*. (120).

14. 1. *Custodia legis*.
 2. *Impotentia excusat legem*.
 3. *Visitatiónem commendamus*.
 4. *Lex Angliæ lex¹ terræ est*.
 5. *Argumentum ad hominem*.
 6. *Lex Angliæ est lex misericordiæ*.
 7. *Lex dabit remedium*.
 8. *Festinatio justitiæ¹ est noverca¹ infortunii*.
 9. *Aula régis*.
 10. *Plene administravit*.
 11. *Assentio mentium¹*.
 12. *Consuetudo regni est lex¹ Angliæ*.

15. *administro, -are, -avi, -atum, administer, assentio, -onis, f. assent.*
aula, -æ, f. hall.
commendo, -are, -avi, -atum, commend.
consuetudo, -inis, f. custom.
Cornelia, -æ, f. Cornelia.
custodia, -æ, f. custody, guard.
de, prep. w. abl., about, concerning.
do, -are, -dedi, -datum, give, furnish.

¹See 132, III.

¹See 132, IX.

THIRD DECLENSION.

festinátio, -ónis, *f. haste.*
 impoténtia, -æ, *f. inability, impotence.*
 infortúnium, -i, *n. misfortune, disaster*
 justítia, -æ, *f. justice.*
 lex, légis, *f. law.*
 mens, méntis, *f. mind.*
 misericórdia, -æ, *f. mercy, pity.*
 novérca, -æ, *f. stepmother.*
 pléne, *adv., fully.*
 régnum, -i, *n. kingdom.*
 remédium, -i, *n. remedy.*
 rex, régis, *m. king.*
 sicárius, -i, *m. assassin.*
 visitátio, -ónis, *f. visit.*

LESSON IV.

Third Declension.

16. Decline *necéssitas, sérvitus, stipulátor.* (100),
(101).

Learn the present indicative active of *hábeo.*
(121).

17. 1. *Necéssitas non hábet légem.*
 2. *Fálisa demonstrátio non nócet.*
 3. *Execútio légis non hábet injúriam.*
 4. *Ínter arma léges silent.*
 5. *Lex dilatiónes abhórret.*
 6. *Mísera est sérvitus, úbi lex vága aut incérta.*
 7. *Malítia súpplet ætátem.*

8. Suppréssio véri, expréssio fálsi.
9. Lex spéctat natúræ órđinem.
10. Actiões légis.
11. Ambigúitas cóntia stipulatórem est.
12. Córam dómino rége.

13. abhórreo, -ére, -ui, —, *abhor.*
 áctio, -ónis, *f. action.*
 ætas, -átis, *f. age.*
 ambigúitas, -átis, *f. ambiguity.*
 árma, -órum, *n. plur. arms.*
 cóntia, *prep. w. acc., against.*
 córam, *prep. w. abl., in the presence of.*
 dilátio, -ónis, *f. delay.*
 demonstrátio, -ónis, *f. proof.*
 dóminus, -i, *m. lord, master.*
 executio, -ónis, *f. execution.*
 fálsus, -a, -um, *adj., false.*
 hábeo, -ére, -ui, -itum, *have.*
 incértus, -a, -um, *adj., uncertain.*
 inter, *prep. w. acc., among.*
 malitia, -æ, *f. malice.*
 míser, -era, -erum, *adj., wretched.*
 natúra, -æ, *f. nature.*
 necéssitas, -átis, *f. necessity.*
 nóceo, -ére, -ui, -itum, *harm, do injury.*
 órdo, -inis, *f. order.*
 rex, -égis, *m. king.*
 sêrvitus, -útis, *f. servitude, slavery.*
 sileo, -ére, -ui, —, *to be silent.*
 spécto, -áre, -ávi, -átum, *look at, regard.*
 stipulátor, -óris, *m. stipulator, party using.*
 suppréssio, -ónis, *f. suppression.*
 úbi, *adv., where.*
 vágus, -a, -um, *adj., uncertain, ambiguous.*

LESSON V.

Third Declension.

19. Decline *mos, vox, cōmes, júdex, jus, via, haëres, cōrpus, fraus*. (100), (101), (102), (105).

Learn present indicative active of *respōdeo* (like *habéo*). (121).

20. 1. *Cōtra bōnos móres.*
 2. *Vox pópuli vox Dēi est.*
 3. *Negligéntia sēper hábet infortúniam cōmitem*¹.
 4. *Ubi jus, ibi remédiū est.*
 5. *Ad quæstiónem facti non respōdent júdices; ad quæstiónem júris non respōdent juratóres.*
 6. *Execútio est execútio júris secúndum júdi-cium.*
 7. *Fraus et jus núnquam cohábitant.*
 8. *Lóna posséssio est pácis jus.*
 9. *Fálsa orthográphia síve fálsa grammática non vítiat concessiónem.*
 10. *Vi² et ármis.*²
 11. *Nam nēmo haëres vivéntis est.*
 12. *Cōrpus delicti.*

21. *cohábito, -áre, -ávi, -átum, to live or dwell together.*

¹See 132, VI.

²See 132, XVII.

cómes,-itis, m. and f. companion.
concessio,-ónis, f. grant.
córpus,-oris, n. body.
delictum,-i, n. crime, offense.
Déus,-i, m. God.
fraus,-dis, m. fraud.
haéres,-édis, m. heir.
infortúnia,-æ, f. misfortune.
jurátor,-óris, m. juror.
jus,-úris, n. law, right.
mos,-óris, m. custom.
negligéntia,-æ, f. negligence.
némo,-inis, c. no one.
núnquam, adv., never.
orthográphia,-æ, f. spelling.
posséssio,-ónis, f. possession.
respóndeo,-ére,-di,-spónsum, to answer to, to
respond.
secúndum, prep. w. acc., according to.
sive, conj., or.
vis, vis, f. force.
vivens,-ntis, c. a living person.
vox,-ócis, f. voice.

LESSON VI.

Adjectives of the Third Declension.

- 22.** Decline *brévis*, *simplex*, *filius*, *nómen*. (108), (100), (101), (99).

Learn present indicative of *indúco* (like *rego*). (122).

- 23.** 1. *Íra fúror brévis est.*
 2. *Simplex commendatio non obligat.*
 3. *Necessitas inducit privilegium.*
 4. *Fórma legális fórma essentialis.*
 5. *Haéres est nómen légis, filius est nómen natúræ.*
 6. *Lex néminem cógit ad vána seu impossibília.*
 7. *In fictióne légis, aéquitas existit.*
 8. *Crímen tráhit persónam.*
 9. *Débile fundaméntum fállit ópus.*
 10. *Lex necessitátis est lex témporis, i. e. instántis.*

- 24.** *aéquitas, -átis, f. equity.*
brévis, -e, adj., brief, short.
cógo, -ere, coégí, coáctum, compel, drive.
commendatio, -ónis, f. recommendation.
crímen, -inis, n. crime.
débilis, -e, adj., weak.
essentialis, -e, adj., essential.
existo, -ere, éxstiti, éxstitum, exist.
fálla-ere, fefélli, fálsum, destroy.
fictio, -ónis, f. fiction.

filius, -i, m. *son*.
 forma, -æ, f. *form*.
 furor, -ōris, m. *madness*.
 impossibilis, -e, adj., *impossible*.
 induco, -ere, -dūxi, -ductum, *induce*.
 instans, -antis, adj., *present*.
 ira, -æ, f. *anger*.
 legalis, -e, adj., *legal*.
 nomen, -inis, n, *name*.
 obbligo, -āre, -āvi, -atum, *bind*.
 omnis, -e, adj., *all*.
 opus, -eris, n. *superstructure. work*.
 privilegiū, -i, n. *privilege*.
 rego, -ere, -rēxi, rectum, *control, rule*.
 seu, conj., *or*.
 solvo, -ere, solvi, solūtum, *free, release*.
 tempus, -oris, n. *time*.
 trāho, -ere, trāxi, tractum, *draws (to it)*.

LESSON VII.

Fourth Declension.

25. Decline *actus, casus*. (103).
 Learn present indicative active of *facio* (like *capio*). (123).
26. 1. *Annus luctus*.
 2. In *casu extremæ necessitātis omnia sunt commūnia*.
 3. *Actus legis facit nemini¹ injūriam*.
 4. *Commūnis error facit jus*.
 5. *Brève judiciāle non cādit pro defectu formæ*.

¹See 132, XIII.

6. Júra natúræ sunt immutabilia.
7. Lex próspicit, non réspicit.
8. Ángliæ júra in ómni cásu libertáti¹ dant favórem.
9. Non jus fácit sed seísina fácit stípitem.
10. Lex nil frústra fácit.
11. Excéptio próbat régulam.

27. áctus, -us, m. *act.*
 aestimátio, -ónis, f. *estimate, value.*
 ánnus, -i, m. *year.*
 bréve, -is, n. *writ.*
 cádo, -ere, cécidi, cásus, *fail.*
 cásus, -us, m. *case, contingency.*
 commúnis, -e, adj., *common.*
 deféctus, -us, m. *defect, error.*
 excéptio, -ónis, f. *exception.*
 érror, -óris, m. *mistake, error.*
 extrémus, -a, -um, adj., *dire, extreme, urgent.*
 fácto, -ere, féci, fáctum, *do, make.*
 fávor, -óris, m. *boon, preference.*
 frústra, adv., *in vain.*
 humánu, -a, -um, *human.*
 immutábilis, -e, adj., *unchanging, immutable.*
 judiciális, -e, *judicial.*
 libertas, -átis, f. *liberty.*
 lúctus, -us, m. *mourning.*
 mánu, -us, f. *hand, custody.*
 mórtuus, -a, -um, adj., *dead.*
 próbo, -áre, -ávi, -átum, *prove.*
 próspicio, -ere, -spéxi, -spéctum, *look forward.*
 régula, -æ, f. *rule.*
 respicio, -ere, -spéxi, -spéctum, *look backward.*
 stípes, -itis, f. *root, stock.*

¹ See 132, XIII.

LESSON VIII.

Fourth and Fifth Declensions.

28. Decline **contráctus**, **res**, **dies**. (103), (104).
Decline **finis**, **integer**, **magister**. (102), (107),
(99).
29. 1. **Contráctus** est **quási áctus** **cóntra áctum**.
2. **Execútió** **légis**. est **finis** et **fráctus** **légis**.
3. **Res** **íntegra**.
4. **Jus** **ad rem**; **jus** **in re**.
5. **Bóna fides**; **bóna fide**.
6. **Mála fide**.
7. **Dies** **Dominicus** **non** est **jurídicus**.
8. **Senátus** **populúsque** **Románus**.
9. **Magíster** **rérum úsus**; **magístra** **rérum exper-**
iéntia.
10. **Ad** **perpétuam** **rei** **memóriam**.
11. **Fractionem** **diéi**¹ **non** **récipit** **lex**.
12. **Cúrsus** **cúriæ** est **lex** **cúriæ**.
30. **contráctus**, -us, m. *contract*.
cúria, -æ, f. *court*.
cúrsus, -us, m. *practice*.
dies, -ei, m. *day*.
Dominicus, -a, -um, adj., *of the Lord*.
experíentia, -æ, f. *experience*.
fides, -ei, f. *faith*.
finis, -is, m. *end*.

¹See 132, XI.

fractio, -ónis, f. fraction.
fructus, -us, m. fruit.
jurídicus, -a, -um, adj., legal.
magister, -tri, m. master.
magistra, -æ, f. mistress.
memória, -æ, f. memorial, memory.
pars, -rtis, f. part.
perpétuus, -a, -um, adj., continual.
pópulus, -i, m. people.
quási, conj., as if.
res, rei, f. thing, affair.
Románus, -a, -um, adj., Roman.
senátus, -us, m. senate.
úsus, -us, m. custom, use.

LESSON IX.

Passive Voice.

- 31.** Learn present indicative passive of *póndero*,
praesúmo, *accipio*, *hábeo*. (120), (122),
 (121.)
- 32.** 1. *Injúria non praesúmitur.*
 2. *Ponderántur téstes non numerántur.*
 3. *Volúntas reputabátur pro fácto.*
 4. *Ómnia praesumúntur cóntra spoliatórem.*
 5. *Volúntas in delictis non éxitus spectátur.*
 6. *Vir et úxor in lége putántur úna persóna.*
 7. *Útile per inútile non vitiátur.*
 8. *Confirmátio est núlla tibi dónum praecedens*
est inválidum.

¹See (132), IV.

9. *Ubi nullo matrimonium ibi nulla dos.*
 10. *Res iudicata accipitur pro veritate.*
 11. *Ambiguitas verborum patens nulla verificatione excluditur.*
 12. *Invito beneficium non datur.*

- 33.** *accipio, -ere, -cépti, -céptum, accept.*
beneficium, -i, n. benefit, advantage.
confirmatio, -ónis, f. confirmation.
dos, dótis, f. dower.
exclúdo, -ere, -clúsi, -clúsum, explain, clear up.
éxitus, -us, m. end, result.
ibi, adv., there.
invalidus, -a, -um, adj., invalid, void.
invítus, -a, -um, adj., unwilling.
júdico, -áre, -ávi, -átum, adjudicate.
número, -áre, -ávi, -átum, count.
núllus, -a, -um, adj., no (one).
pátens, -ntis, adj., patent.
póndero, -áre, -ávi, -átum, weigh.
præcédens, -ntis, adj., precedent.
præsúmo, -ere, -súmpsi, -súptum, presume.
púto, -áre, -ávi, -átum, regard.
repúto, -áre, -ávi, -átum, consider.
spoliátor, -óris, m. wrongdoer.
téstis, -is, c. witness.
únus, -a, -um, adj., one.
úxor, -óris, f. wife.
vérbum, -i, n. word.
verificatio, -ónis, f. proof.
véritas, -átis, f. truth.
vir, -viri, m. husband.
volúntas, -átis, f. will.

LESSON X.

34. Learn present and perfect indicative active and present imperative of *audio*, and the present indicative passive of *púnio*. (124).
Decline *præveniēns*, *próhibēns*, *álter*, like *álius*. (108), (109).

35. 1. *Térra tránsit cum ónere*¹.
2. *Lex púnit mendáciūm*.
3. *Némo punitur pro aliéno delicto*.
4. *Convéntio et módus víncunt légem*.
5. *Áctio non dátur non damnificáto*.
6. *Justítia est dúplex ; sévère púniens et vére prævéniens*.
7. *Lex est sáctio sáncta, júbens honéstá et próhibens contrária*.
8. *Sémper præsumitur pro matrimónio*.
9. *Sémper præsumitur pro legitimatióne puerórum*.
10. *Lex réjicit supérflua, pugnántia, incóngrua*.
11. *Aéquitas núquam contravénit léges*.
12. *Aúdi álteram pártē*.

36. *aliénus*, -a, -um, adj., *another's*.
álter, -a, -um, adj., *other*.
aúdio, -ire, -ivi (-ii), -itum, *hear*.
contrárius, -a, -um, adj., *opposite*.
contravénio, -ire, -i, -véntum, *thwart, run counter to*.

¹See 132, XVII.

convéntio,-ónis, f. contract.
cum, prep. with abl., with, in company with.
damnificátus,-a,-um, adj., injured, damned.
dúplex,-icis, adj., two-fold.
honéstas,-átis, f. honesty.
incóngruus,-a,-um, adj., incongruous.
júbeo,-ére, jússi, jússum, command.
legitimátio,-ónis, f. legitimacy.
mendácium,-i, n. falsehood.
módus,-i, m. agreement.
ónus,-eris, n. incumbrance.
pars,-rtis, f. side.
prævénió,-íre,-i,-véntum, prevent by anticipat-
ing.
prohibeo,-ére,-ui,-itum, prevent.
púer,-eri, c. child.
púgno,-áre,-ávi,-átum, conflict.
púnio,-íre,-ívi(-íi),-ítum, punish.
rejicio,-ere,-jécl,-jéctum, refuse, reject.
ánctio,-ónis, f. oath.
sáctus,-a,-um, adj., sacred.
sevére, adv., severely.
supérfluus,-a,-um, adj., superfluous.
tránseo,-íre,-ívi(-íi),-ítum, pass.
vére, adv., truly.
vínco,-ere, vícl, víctum, overcome.

LESSON XI.

Perfect Passive Participle. Gerund.

37. Learn the perfect passive participle of *géro* and the gerund of *fúror*. (122), (120):

Learn perfect indicative active of *cápío* (123.)

38. 1. Stáre decísis.
 2. De bónis non administrátis.
 3. Non est informátus.
 4. Ónus probándi.
 5. Ánimó furándi; ánimo testándi.
 6. Mála prohibita.
 7. Jus scríptum aut non scríptum.
 8. Claúsulæ inconsuétæ sémper indúcunt suspicióne[m].
 9. Éxtra légem pósitus est civiliter mórtuus.
 10. Cépi córpus et ést languídum.
 11. Cépi córpus et parátum hábeo.
 12. Res géstæ.

39. ágo,-ere,-égi,-áctum, *transact*.
 cápío,-ere,-cépi,-cáptum, *take*.
 civiliter, adv., *civilly*.
 claúsula,-æ, f. *clause*.
 decído,-ere,-ídi,-císium, *decide*.
 decísium,-i, n. *decision*.
 fúror,-ári,-átus sum, *steal*.
 géro,-ere,-géssi,-géstum, *transact*.
 indúco,-ere,-dúxi,-dúctum, *excite*.

inconsuetus, -a, -um, adj., *unusual*.
 infórmo, -áre, -ávi, -átum, *inform*.
 languídus, -a, -um, adj., *sick*.
 páro, -áre, -ávi, -átum, *prepara*.
 póno, -ere, pósui, pósito, *place*.
 scribo, -ere, scripsi, scriptum, *write*.
 sto, stáre, stéti, státum, *stand, abide*.
 suspicio, -ónis, f. *suspicion*.
 téstor, -ári, -átus sum, *make a will*.

LESSON XII.

Deponent Verbs.

40. Learn present indicative of *séquor* (125), *mórior*.
41. 1. *Iustitia*¹ *firmátur sólum*.
 2. *Aéquitas legem séquitur*².
 3. *Lex úno óre ómnes allóquitur*.
 4. *Áctio personális móritur cum persóna*.
 5. *Lex aliquándo séquitur aequitátem*.
 6. *Rex núnquam móritur*.
 7. *Ex dólo málo áctio non óritur*.
 8. *Ex núdo pácto áctio non óritur*.
 9. *Dórmunt léges aliquándo, núnquam mori-úntur*.
 10. *Accessórium non dúcit, sed séquitur súm principále*.
 11. *Lex non óritur ex injúria*.
 12. *Servítia personália sequúntur persónam*.

¹ See (132), XVII.

² See (132), XXXV.

42. *accessórium*, -i, n. *accessory*.
aliquándo, adv., *sometimes*.
allóquor, -lóqui, -locútus sum, *address, speak to*.
dólum, -i, n. *device*.
dórmio, -ire, -ivi(-ii), -itum, *sleep*.
dúco, -ere, dúxi, dúctum, *lead*.
firmo, -áre, -ávi, -átum, *strengthen*.
mórior, -i(-iri), mórtuus sum, *die*.
núds, -a, -um, *naked*.
órior, -iri, órtus sum, *arise, accrue*.
os, -óris, n. *voice*.
personális, -e, adj., *personal*.
principále, -is, n. *principal*.
séquor, -i, secútus sum, *follow*.
servítia, -órum, n. plur. *services*.
sólium, -i, n. *throne*.
súus, -a, -um, poss. pron., *his*.

LESSON XIII.

The Second Periphrastic Conjugation.

43. Learn in this conjugation the present tense of *negándus esse*.¹ (120.)
44. 1. *Lex non a rége¹ est violánda*.
 2. *Iustítia némini negánda est*.
 3. *Fáculitas probatiónum non est angustánda*.
 4. *In nóvo cásu nóvum remédium apponéndum est*.

¹ See 132, XXII.

¹ See 132, XXXIV.

5. Consuetúdo observánda est.
 6. Álegans contrária non est audiéndus.
 7. Álegans súam turpitúdinem non est audiéndus.
 8. Mens testatóris in testaméntis spectánda est.
 9. Allegátio cóntra fáctum non est admitténda.
 10. Fídes servánda est.
 11. Débitum in præsentí, solvéndum in futúro.
 12. Generális régula generáliter est intelligénda.
45. admitto, -ere, -misi, missum, *admit.*
 allegátio, -ónis, *f. allegation.*
 állego, -áre, -ávi, -átum, *allege.*
 angústio, -áre, -ávi, -átum, *restrict, limit.*
 appóno, -ere, -pósui, -pósitum, *apply.*
 aúdio, -ire, -ivi (-ii), -itum, *hear.*
 débitum, -i, *n. debt.*
 divíno, -áre, -ávi, -átum, *prophecy, forecast, foretell.*
 fácultas, -átis, *f. opportunity.*
 generális, -e, *adj., general.*
 generáliter, *adv., generally.*
 intélligo, -ere, -léxi, -léctum, *understand, interpret.*
 mens, -ntis, *f. intent.*
 négo, -áre, -ávi, -átum, *deny.*
 præsens, -ntis, *adj., present.*
 probátio, -ónis, *f. proof.*
 sérvio, -áre, -ávi, -átum, *keep. preserve.*
 violó, -áre, -ávi, -átum, *disregard.*

LESSON XIV.

Deponents and Second Periphrastic Conjugation.

46. Learn present indicative of *méreeor*, *admitténdus ésse*. (122.)

- 47.
1. *Ex fácto jus óritur*.
 2. *Ad rem lóquitur*.
 3. *Cogitátionis poénam némo merétur*.
 4. *Mobília persónam sequúntur*.
 5. *Pártus séquitur véntrem*.
 6. *In vérbis, non vérba sed res et rátio quæ-rénda est*.
 7. *Fraus est odiósa et non præsuménda est*.
 8. *In repúblicá máxime conservánda sunt júra bélli*.
 9. *Juraméntum est indivisibile et non est admitténdum in parte vérum et in páte fálsum*.
 10. *Débíta sequúntur persónam debitóris*.
 11. *Ex túrpi caúsa non óritur caúsa*.
 12. *Júdex est lex lóquens*.

48. *béllum*, -i, n. *war*.
cogitátio, -ónis, f. *thought*.
consérvo, -áre, -ávi, -átum, *observe, regard*.
débitor, -óris, m. *debtor*.
ex, prep. w. abl., *from*.
indivisibilis, -e, adj., *indivisible*.
júdex, -icis, m. *judge*.
juraméntum, -i, n. *oath*.
lóquor, -i, locútus sum, *speak*.

máxime, adv., *especially*.
 méreor, -éri, méritus sum, *deserve*.
 mobília, -ium, n. plur., *furniture, movables*.
 odíósus, -a, -um, adj., *odious*.
 pártus, -us, m. *offspring*.
 poéna, -æ, f. *punishment*.
 quaéro, -ere, quaésivi (-í), quaésitum, *inquire*.
 into.
 rítio, -ónis, f. *reason*.
 respública, -ei, -æ, f. *republic*.
 túrpis, -e, adj., *base*.
 vénter, -tris, f. *womb, mother*.
 vérus, -a, -um, adj., *true*.

LESSON XV.

Relative Pronouns.

49. Decline qui (117).

- 50.
1. Qui¹ non improbat, approbat.
 2. Nemo dat qui non hábet.
 3. Quod necessitas cógit, deféndit.
 4. Qui sentit commodum, débet et sentire ónus,
 et e cótra.
 5. Qui haeret in lítera, haeret in córtice.
 6. Quod ab initio non válet, in tráctu témporis
 non convaléscit.
 7. Érror qui non restitúitur approbátur.

¹See 132, V.

- 8 Quod vānum et inūtile est, lex non requirit.
9. Quod non appāret, non est.
10. Haéres legítimus est quem nūptiæ demon-
strant.
11. Páter est quem nūptiæ demonstrant.
12. Fatétur fácinus qui iudícium fúgit.
51. appáreo,-ére,-ui,-itum, *appear*.
 apróbo,-áre,-ávi,-átum, *approve*
 commódum,-i, n. *advantage, benefit*.
 convalésco,-valéscere,-válui, —, *gather strength*.
 córtex,-icis, m. and f. *bark*.
 débeo,-ere,-ui,-itum, *ought*.
 deféndo,-ere,-di,-sum, *defend*.
 demonóstro,-áre,-ávi,-átum, *indicate*.
 et, adv., *also*.
 fácinus,-oris, n. *crime*.
 fáteor,-éri, fássus sum, *confess*.
 fúgio,-ere, fúgi, fúgitum, *fly from*.
 haéreo,-ere, haési, haésus, *cling to*.
 improbo,-áre,-ávi,-átum, *blame*.
 legítimus,-a,-um, adj., *legal, lawful*.
 lítera,-æ, f. *letter*.
 nūptiæ,-árum, f. plur. *marriage*.
 qui, quæ, quod, rel. pron., *who, which*.
 requíro,-ere,-quisívi(-fi),-quisítum, *require*.
 restítuo,-úere,-ui, útum, *correct*.
 séntio,-tíre,-si,-sum, *enjoy, bear*.
 vānus,-a,-um, adj. *vain*.

LESSON XVI.

Personal and Intensive Pronouns.

52. Decline *sui* and *ipse* (115), (116).

53. 1. Qui facit per alium facit per se.
 2. Qui non habet potestatem alienandi habet necessitatem retinendi.
 3. Quod non habet principium, non habet finem.
 4. In curia Domini regia, ipse in propria persona iura discernit.
 5. Nihil quod inconveniens est licitum.
 6. In omni re nascitur res quae ipsa rem ex-terminat.
 7. In traditionibus scriptorum, non quod dictum est sed quod gestum est inspicitur.
 8. Frustra probatur quod probatum non relevat.
 9. Malum in se.
 10. Crimen omnia ex se nata vitiat.
 11. Bis dat qui cito dat.

54. *alieno, -are, -avi, -atum, alienate.*

bis, num, adv., twice.

cito, adv., quickly.

dico, -ere, dixi, dictum, say.

discerno, -ere, -cevi, -cretum, dispense.

extermino, -are, -avi, -atum, destroy.

inspicio, -ere, -spexi, -spectum, look into, examine.

26 DEMONSTRATIVE AND INDEFINITE PRONOUNS.

ipse, -a, -um, demons. pron., *himself, herself, itself.*

licitus, -a, -um, *lawful, legal.*

nāscor, -i, -nātus sum, *generate, arise, be born.*

nil, nihil, indecl. n. *nothing.*

potestas, -ātis, f. *power.*

principium, -i, n. *beginning.*

proprius, -a, -um, *one's own, peculiar.*

rélevo, -āre, -āvi, -ātum, *be relevant.*

retíneo, -ére, -ui, *reténtum, hold.*

scriptum, -i, n. *deed.*

sui, gen. of reflex. pron., *of himself, herself, etc*

traditio, -ónis, f. *delivery.*

LESSON XVII.

Demonstrative and Indefinite Pronouns.

55. Decline *is, idem, quis, quilibet.* (116), (117), (118).

- 56.**
1. *Nemo bis puniatur pro eodem delicto.*
 2. *Cujus solum, ejus est usque ad coelum; et ad inferos.*
 3. *Ei incumbit probatio qui dicit, non qui negat.*
 4. *Qui in utero est, pro jam nato habetur, quoties de ejus commodo quaeritur.*
 5. *Ubi eadem ratio ibi idem lex, et de similibus idem est judicium.*
 6. *De non apparentibus et de non existentibus eadem est ratio.*
 7. *In quo quis delinquit, in eo de jure est puniendus.*

8. Jus naturále est quod ápuđ ómnes homines eándem poténtiam hábet.
9. Jus est nóрма récti; et quicquid est cóntra nórmam récti est injúria.
10. Felónia implicátur in quálibet prodiçãoe.

57. ápuđ, prep. w. acc., *among*.
 coélum,-i, n. *sky*.
 commódum,-i, n. *benefit*.
 de, prep. w. abl., *according to*.
 delínquo,-ere,-líqui,-lictum, *be wanting, offend*.
 díco,-ere,-xi,-ctum, *affirm*.
 felónia,-æ, f. *felony*.
 hábeo,-ére,-ui,-itum, *hold, consider*.
 ídem, eádem, ídem, demons. pron., *the same*.
 implico,-áre,-ávi(-ui),-átum(-itum), *imply*.
 incúmbo,-ere,-cúbui,-cúbitum, *rest upon*.
 inferus,-a-um, adj., *belonging to the Lower World*.
 injúria,-æ, f. *wrong*.
 is, éa, íd, demons. pron., *he, she, it, this, that*.
 naturális,-e, adj., *natural*.
 nóрма,-æ, f. *rule*.
 poténtia,-æ, f. *power*.
 prodição,-ónis, f. *treason*.
 quílibet, quaelíbet, quódlíbet, indef. pron., *any kind of*.
 quískuís, quaequæ, quicquid, indef. pron., *any thing, something*.
 rátió,-ónis, f. *rule, reason*.
 réctum,-i, n. *right, truth*.
 sínillís,-e, adj., *like*.
 sólum,-i, n. *soil*.
 úsque, adv. *all the way up to*.
 úterus,-i, m. *womb*.

LESSON XVIII.

Subjective and Complementary Infinitive.

58. Note present infinitives active and passive of all conjugations. (120), (121), (122), (123), (124).
59. 1. Cújus¹ est dáre, éjus est dispónere.
 2. Ídem níbil dícere et insuficiénter dícere.
 3. Mérito beneficium légis amíttit qui légem ípsam subvértete inténdit.
 4. Nemo admitténdus est inhabilitáre se ípsum.
 5. Árbor dum créscit; lígnum cum créscere néscit.
 6. Fraús est celáre fraudem.
 7. Áqua cúrrit et débet cúrrere, ut cúrrere solébat.
 8. Id quod commúne est, nóstrum esse díctur.
 9. Judícium non débet illusórium; súum efféctum habére débet.
 10. Jus dícere, non jus dáre.
 11. Cóntra non valéntem ágere núlla cúrrit præscriptio.
 12. Nemo se accusáre débet, nísi córam Déo.
60. accúso, -áre, -ávi, -átum, *accuse*.
 amíttito, -ere, amísi, amíssum, *lose*.
 áqua, -æ, f. *water*.
 árbor, -óris, f. *tree*.
 célo, -áre, -ávi, -átum, *conceal*.
 créscito, -ere, -crévi, crétum, *grow*.

¹ See 132, XII.

cum, conj., *when*.
 curre, -ere, cucurri, curre, *run*.
 dispono, -ere, -posui, -positum, *dispose*.
 effectum, -i, n. *effect*.
 illusorius, -a, -um, adj., *illusory*.
 inhabilito, -are, -avi, -atum, *incapacitate*.
 insufficiens, -ter, adv., *insufficiently*.
 intendo, -dere, -di, -tum(-sum), *strive*.
 lignum, -i, n. *wood*.
 merito, adv., *deservedly*.
 nisi, conj., *unless*.
 nescio, -scire, -scivi, (scilicet), -scitum, *cease, be un-
 able*.
 noster, -tra, -trum, poss. pron., *our, ours*.
 prescriptio, -onis, f. *prescription*.
 subverto, -ere, -ti, -sum, *overturn*.
 valeo, -ere, -ui. —, *be able to act*.
 suus, -a, -um, poss. pron., *his, her, its*.

LESSON XIX.

61. Subjective and Complementary Infinitive.— Continued.

1. Júdicēs non tenéntur exprímere cáusam senténtiæ suæ.
2. Júdiciis¹ est judicáre secúndum allegáta et probáta.
3. Juráre est Déum in téstemvocáre; et est-actus divíni cultus.

¹See 132, XII.

4. Bóni júdicis¹ lítes dirímere est.
 5. Cásus fortúitus non est spectánda et nemo tenétur diviuáre.
 6. Nemo tenétur armáre adversárium cónta se.
 7. Débitor non præsúmitur donáre.
 8. Nemo débet júdex in própria caúsa.
 9. Rex non débet judicáre, sed secúndum légem.
 10. Scríbere est ágere.
 11. Vérba débent intélligi cum efféctu.
 12. Bóni júdicis¹ est ampliáre júrisdictiónem.
03. ámplio,-áre,-ávi,-átum, *enlarge*.
 árho,-áre,-ávi,-átum, *arm*.
 cásus,-us, m. *event*.
 cúlto,-us, m. *worship*.
 dirímo,-ímere,-émi,-émptum, *remove*.
 divínus,-a,-um, adj., *divine*.
 dóno,-áre,-ávi,-átum, *give*.
 fortúitus,-a,-um, adj., *fortuitous*.
 júdico,-áre,-ávi,-átum, *judge*.
 júrisdictio,-ónis, f. *jurisdiction*.
 júro,-áre,-ávi,-átum, *suear*.
 prétium,-i, n. *price*.
 senténtia,-æ, f. *opinion*.
 véndo,-ere, véndidi, vénditum, *sell*.

¹See 132, XII.

LESSON XX.

Regular Comparison of Adjectives

64. For comparison vid. (110).

65. 1. Firmior et poténtior est operátio légis quam dispositio hóminis.
 2. Fórtior est custódia légis quam hóminis.
 3. Lex tutíssima cássis, sub clýpeo légis nemo decípitur.
 4. Dómus sua cuique¹ tutíssimum refúgium.
 5. Testaménta latíssimam interpretatiónem habére débent.
 6. In criminálibus probatiónes débent esse clarióres luce².
 7. Lex est júdicium tutíssimus dúctor.
 8. Peccáta cóntra natúram sunt gravíssima.
 9. Non est áctius vínculum inter hómines quam jusjurándum.
 10. Arguméntum ab auctoritáte fortíssimum est in lége.
 11. Ómnia delicta in apérto levióra sunt.
 12. In pári delicto pórior est conditio possidéntis.

66. apértus,-a,-um, adj., *open*.
 áctus,-a,-um, adj., *binding*.
 auctorítas,-átis, f. *authority*.
 cássis,-idis, f. *helmet*.

¹See 132, XIV.

²See 132, XXI.

clárus,-a,-um, adj., *clear, plain*.
 clýpeus,-i, m. *protection*.
 condítio,-ónis, f. *condition*.
 criminális,-e, *criminal*.
 deciplo,-ere,-cépi,-céptum, *deceive, impose upon*.
 dispositio,-ónis, f. *disposition*.
 dómus,-i,-(us), f. *house*.
 dúctor,-óris, m. *leader*.
 exércitus,-us, m. *army*.
 firmus,-a,-um, adj., *strong*.
 fórtis,-e, adj., *powerful*.
 grávís,-e, adj., *severe, heinous*.
 hómo,-inis, c. *man*.
 interpretátio,-ónis, f. *construction, interpretation*.
 iuráurándum,-ris,-i, n. *oath*.
 látus,-a,-um, *liberal, broad*.
 lux,-lucis, f. *light*.
 operátio,-ónis, *operation*.
 peccátum,-i, n. *crime*.
 pótiens,-ntis, adj., *powerful*.
 pótis,-e, adj., *powerful*.
 refúgium,-i, n. *refuge*.
 vínculum,-i, n. *link*.

LESSON XXI.

Irregular Comparison of Adjectives.

67. For irregular comparison vid. (111.)

68. 1. Óptima légum intérpres est consuetúdo.
 2. Léges posteriôres priôres contrárias ábro-
 gant.
 3. Arguméntum ab impoténtia plúrimum válet
 in lége.
 4. Máximus erróris pópulus magíster est.
 5. Mélior est condítio possidéntis úbi neúter
 hábet jus.
 6. Natúra vis máxima est.
 7. Contemporánea expositio est óptima et for-
 tíssima in lége.
 8. De mínimis lex non cúrat.
 9. Catállia reputabántur ínter mínima in lége.
 10. Conféssio, fácta in júdicio, ómni probatióne
 májor est.
 11. Necéssitas públioa est májor quam priváta.
 12. In æquáli júre mélior est condítio possi-
 déntis.

69. ábrogo, -áre, -ávi, -átum, *repeal, abrogata*.
 æquális, -e, adj., *equal*.
 catállum, -i, n. *chattel*.
 conféssio, -ónis, f. *confession*.
 contemporáneos, -æ, -um, adj., *contemporaneous*.
 cúro, -áre, -ávi, -átum, *bother with, care for*.

expositio, -ónis, f. interpretation.
impoténtia, -æ, f. impotence.
intérpres, -etis, c. interpreter.
mágnus, -a, -um, adj., large, great.
máter, -tris, f. mother.
múltus, -a, -um, adj., much. many.
párvus, -a, -um, adj., small.
postérior, -ius, adj., following.
póssidens, -ntis, c. possessor.
prímus, -a, -um, adj., first.
privátus, -a, -um, adj., private.
públicus, -a, -um, adj., public.

LESSON XXII.

Irregular Comparison of Adjectives.—Continued. (111.)

- 70.
1. Ácta exterióra indicant interióra secréta.
 2. Judiçiis posterióribus fides est adhibénda.
 3. Impúnitas sémper ad deterióra invitat.
 4. Mors dicitur últimum supplicium.
 5. Qui prior est témpore pótiór est júre.
 - 6 In júre non remóta cáusa sed próxima spectátur.
 7. Sálus pópuli est aupréma lex.
 8. Május cóntinet mínus.
 9. Última volúntas testatóriis est perimplénda secúndum véram intentiόνem súam.
 10. Május est delictum se ípsam occídere quam álium.

11. Sámma rátio est quæ pro religiône fáciť.

12. Óptimus intérpres est úsus.

71. áctum,-i, n. *act.*

adhíbeo,-ére,-híbul,-híbitum, *give to.*

contíneo,-ére,-ui,-téntum, *contain.*

(déterus, not used) detérior,-ius and supeíl.,
adj., *bad.*

éterus,-a,-um, *outward.*

fídes,-ei, f. *credit.*

impúnitas,-átis, f. *impunity.*

índico,-áre,-ávi,-átum, *indicate, reveal.*

inténtio,-ónis, f. *intention.*

(ínterus, not used) intérior,-ius and superl.,
adj., *within.*

occído,-ere,-cidi,-cisum, *kill.*

perímpleo,-ére,-évi,-étum, *carry out, execute.*

pósterus,-a,-um, adj., *following.*

própiór,-ius, compar. adj., *nearer.*

quam, adv., *than.*

religio,-ónis, f. *religion.*

remótus,-a,-um, adj., *remote.*

sálus,-útis, f. *safety.*

secrétum,-i, n. *secret.*

sémper, adv., *always.*

súperus,-a,-um, adj., *above.*

supplícium,-i, n. *punishment.*

témpus,-oris, n. *time.*

ultériór,-ius, compar. adj., *farther.*

LESSON XXIII.

Comparison of Adverbs.

- 72.** Formation and comparison of adverbs. (112).
- 73.**
1. Júdex non réddít plus quam quod pétens ipse requírit.
 2. Vérba chartárum fórtius accipiántur cótra proferéntem.
 3. Plus válet ánus oculátus téstis quam auríti decem.
 4. Ad éa quæ frequéntius áccidunt júra adap-tántur.
 5. In re dúbia mágis inficiátio quam affirmátio intelligénda.
 6. Múlta exercitátione facílius quam régulis percípies.
 7. Cum dúo ínter se pugnántia reperiúntur in testaméntis, últimum rátum est.
 8. In testaméntis plénius testatóriæ inten-tiónem scrutámur.
 9. Lex plus laudátur quádo ratióne proba-tur.
 10. Quod prius est vérus est: et quod prius est témpore pótius est júre.
 11. Interpretáre et concordáre léges légibus est optimus interpretándi módlus.
 12. Rex est máior singulis, mínor univérsis.
- 74.** áccido,-ere,-cidi, —, *happen*.
adápto,-áre,-ávi,-átum, *suit, adapt*

affirmatio, -ónis, f. affirmation.
auritus, -i, m. ear witness.
concórdio, -áre, -ávi, -átum, reconcile.
décem, indecl. adj., ten.
dúbius, -a, -um, adj., doubtful.
dúo, dúæ, dúo, num. adj., two.
exercitatio, -ónis, f. exercise, practice.
fácilis, adv., easily.
fréquens, -ntis, adj., frequent.
infieliatio, -ónis, f. negative.
intérpreto, -áre, -ávi, -átum, interpret.
laúdo, -áre, -ávi, -átum, praise.
módus, -i, m. method.
occulátus, -i, m. eye witness.
percipio, -ere, -cépi, -céptum, perceive.
pléne, adv., especially.
próbo, -áre, -ávi, -átum, support.
prófero, -férre, -tuli, -látum, offer.
rátus, -a, -um, considered.
réddo, -ere, -didi, -ditum, give.
requíro, -ere, -sivi(-ii), -sítum, ask.
scrútor, -ári, -átus sum, scrutinize.
singuli, -æ, -a, adj., individuals.
univérsus, -a, -um, adj., everybody.

LESSON XXIV.

Posse.

75. Learn the present indicative of *pósse*. (127).

76. 1. Nemo póttest plus júris¹ ad álium transférre quam ipse hábet.
 2. Meliorem conditióem súam fácere póttest mīnor, deteriorem nequáquam.
 3. Derivativa potéstas non póttest esse mājor primitiva.
 4. Consensus non concubitus facit matrimōnum; et consentire non pōssunt ante annos núbiles.
 5. Júdex non póttest ésse téstis in própria caúsa.
 6. Júdex non póttest injúriam sibi dátam puníre.
 7. Lex non deficere póttest in justitia exhibénda.
 8. In álta prodióne nūllus póttest esse acces-sórius sed principális solummodo.
 9. Déus sólus hærédem fácere póttest, non hómo.
 10. Nemo póttest fácere per álium quod per se non póttest.
 11. Nūllus commódum cápere póttest de súa injúria.

77. *accessórius, -a, -um*, adj., *accessory*.
ánnus, -i, n. *year*.

¹ See 132, XI.

ante, prep. w. acc., *before*.
 capio, -ere, cepi, captum, *receive*.
 concubitus, -us, m. *cohabitation*.
 consensus, -us, m. *consent*.
 consentio, -tīre, -si, -sum, *consent*.
 deficio, -ere, -feci, -fectum, *fail*.
 derivativus, -a, -um, adj., *derived*.
 exhibeo, -ēre, -ui, -itum, *mete out, dispense*.
 nequāquam, adv., *never*.
 nubilis, -e, adj., *marriageable*.
 possum, posse, potui, —, *be able*.
 potestas, -ātis, f. *power*.
 primitivus, -a, -um, adj., *original*.
 principālis, -is, m. *principal*.
 solummodo, adv., *only*.
 transiero, -ferre, -tuli, -lātum, *transfer*.

LESSON XXV.

Posse, Prodesse, Deesse.

78. Learn present indicative of prodēsse and dēesse (128).
79. 1. Nemo pōtest cōtra recōrdum verificāre per patriam.
 2. Qui pōtest et dēbet vetāro, et non vētāt, jubet
 3. Nemo pōtest mutāre consiliū sūm in alterius injūriam.
 4. Ubi non est principālis non esse pōtest accessorius.

5. Rex quod injustum est facere non p^ot^oest.
6. Félix qui p^ouit rerum cognoscere causas.
7. Junjurandum inter alios factum nec l^oc^oc^oere nec prod^ode^ore debet.
8. Omnis innovatio plus novitate perturbat quam utilitate prodest.
9. Qui non obstat quod obstaré p^otest facere videtur.
10. Nil facit error n^ominis, cum de corpore constat.
11. Quod necess^orie intelligitur id non d^oest.
12. Sententia interlocut^oria revocari p^otest, definitiva non p^otest.

80. *alter, -era, -erum, adj., another.*
cognosco, -ere, -n^ovi, -itum, ascertain.
consilium, -i, n. plan.
consto, -are, -stiti, -statum, appear.
corpus, -oris, n. body.
desum, -esse, -fui, —, be wanting.
definitivus, -a, -um, adj., final.
felix, -icis, adj., fortunate.
injustus, -a, -um, adj., unjust.
innovatio, -onis, f. innovation.
interlocutarius, -a, -um, adj., interlocutory.
jubeo, -ere, jussi, jussum, command.
mut^o, -are, -avi, -atum, change.
nec, conj., nor.
necessarie, adv., necessarily.
noceo, -ere, -ui, -itum, do harm.
nomen, -inis, n. name.
novitas, -atis, f. novelty.
obsto, -are, -stiti, -statum, prevent.
patria, -ae, f. country. jury.
perturbo, -are, -avi, -atum, disarrange.
potestas, -atis, f. power.

prósum, prodésse, prófui, —, do good.
principále,-is, n. principal.
recórdum,-i, n. record.
revóco,-áre,-ávi,-átum, recall.
senténtia,-ae, f. decree, judgment.
utilitas,-átis, f. utility.
verifico,-áre,-ávi,-átum, verify.
véto,-áre,-ui,-itum, forbid.

LESSON XXVI.

Fieri. Ire.

- 81.** Learn present indicative of *fieri* and *ire* (130).
- 82.**
1. *Ex præcedéntibus et consequéntibus óptima fit interpretátio.*
 2. *Volénti non fit injúria.*
 3. *Mentíri est cóntra méntem ire.*
 4. *Lónge posséssio párit jus possidéndi et tollit actiónem véro dómíno.*
 5. *Interrúptio múltiplex non tollit præscriptiónem sémel obténtam.*
 6. *Consénsus tollit errórem.*
 7. *Súbsequens matrimónium tollit peccátum præcédens.*
 8. *Póena pótest tolli, cúlpa perénis est.*
 9. *Quóties in verbis núlla est ambigúitas ibi núlla expoi'tio cóntra verba exprés'sa fiénda est.*
 10. *Delegata potestas non potest delegari.*
 11. *Mínor juráre non pótest.*
 12. *Ex nihilo nil fit.*

83. cónsequens,-ntis, adj., *following*.
 culpa,-æ, f. *guilt, crime*.
 delegátus,-a,-um, adj. *conferred, delegated*.
 éo, íre, ívi, (íi), ítum, *go*.
 expositio,-ónis, f. *exposition*.
 éxprimo,-ere,-préssí,-préssum, *express*.
 fio, fieri, fáctus sum, *become, be made*.
 mens,-ntis, f. *mind*.
 méntior,-íri,-ítus sum, *lie*.
 múltiplex,-icis, adj., *multiple*.
 obtíneo,-ére,-ul,-éntum, *acquire*.
 peccátum,-i, n. *wrong, fault*.
 perénnis,-e, adj., *perpetual*.
 præcédens,-ntis, n. *precedent*.
 quóties, adv., *as often as*.
 rúo,-ere, rúi, rútum, *full*.
 sémiel, adv., *once*.
 súbsequens,-ntis, adj., *subsequent*.
 tólló,-ere, sústulí, sublátum, *remove*.
 vólo, vélle, vólui, —, *wish*.

LESSON XXVII

Præferre.

84. Learn present indicative of *præfero*. (131).
85. 1. Cértum est quod cértum réddi póttest.
 2. Lex non nóvit pátrém nec mátrém; sólam veritátem.
 3. Lex Ángliæ núnquam sine Parliaménto mutári póttest.
 4. Nemo póttest ésse ténens et dóminus.
 5. Nemo cóntra fáctum súum veníre póttest.
 6. Rex non póttest peccáre.

7. Qui tacet, consentire videtur.
8. Benignior sententia in verbis generalibus seu dubiis est præferenda.
9. Omne sacramentum debet esse de certa scientia.
10. Quando jus domini regis et subditi concurrunt, jus regis præferri debet.
11. Lex citius tolerare vult privatum damnum quam publicum malum.
12. Filiatio non potest probari.

86. *benignus*, -a, -um, adj., *favorable*.
certus, -a, -um, adj., *certain*.
cito, adj., *quickly*.
concurro, -ere, -curre, -cursum, *concur*.
dubius, -a, -um, adj., *ambiguous, doubtful*.
filiatio, -onis, f. *copulation, affiliation*.
generalis, -e, adj., *general*.
malum, -i, n. *misfortune*.
nosco, -ere, novi, notum, *recognize*.
Parliamentum, -i, n. *Parliament*.
præfero, -ferre, -tuli, -latum, *prefer*.
quando, adv., *when*.
reddo, -dere, -didi, -ditum, *make*.
sacramentum, -i, n. *oath*.
scientia, -æ, f. *knowledge*.
sententia, -æ, f. *construction*.
subditus, -i, m. *subject*.
solus, -a, -um, adj., *alone*.
tenens, -ntis, c. *tenant*.
tolero, -are, -avi, -atum, *permit*.
venio, -ire, -veni, -ventum, *go*.
veritas, -atis, f. *truth*.
videor, -eri, visum est, *seem, appear*.

LESSON XXVIII.

Verbs Controlling Special Cases.

87. 1. Nemo prohibetur plúribus defénsionibus áti.
 2. Alienátio réi præfertur júri accrescendi.
 3. Bónus júdex secúndum æquum et bónum
 júdicat et æquitátem stricto júri præsert
 4. Júra pública anteferénda privátis (júribus).
 5. Jús accrescendi onéribus præfertur.
 6. Vigilántibus et non dormiéntibus júra
 subveniunt.
 7. Actóri incumbit ónus probandi.
 8. Assignátus útitur júre auctóris.
 9. Lex succúrrit ignoránti.
 10. Minátur innocentibus qui párcit nocéntibus.
 11. Res ínter álios ácta álteri nocére non débet.
 12. Bóni júdicis est júdicium sine dilátione
 mandáre executioni.
88. abúndans,-ntis, adj., *abundant*.
 accresco,-ere,-évi,-étum, *increase*.
 áctor,-óris, m. *plaintiff*.
 æquus,-a,-um, adj., *just*.
 alienátio,-ónis, f. *alienation*.
 antefero,-ferre,-tuli,-látum, w. dat., *prefer*.
 assignátus,-i, m. *assigned*.
 aúctor,-óris, m. *assignor*.
 cautéla,-æ, f. *caution*.
 defénsio,-ónis, f. *defense*.
 dormiens,-ntis, c. *sleeping person*.
 ignorántia,-æ, f. *ignorance*.

incúmbo, -ere, -cúbui, -cúbitum, w. dat., rest upon.

innocens, -ntis, c. innocent person.

minor, -ári, -átus sum, threaten.

nócens, -ntis, c. a wrong-doer, guilty person.

præfero, -ferre, -tuli, -látum, prefer.

**párco, -ere, pepérci (pársi), párcitum or párs-
sum, w. dat., spare.**

prohibeo, -ére, -ui, -litum, prevent.

subvénio, -íre, -i, -tum, w. dat., come to the aid of.

succúrro, -ere, -i, -cúrsum, w. dat., come to the aid of.

útor, úti, úsus sum, w. abl., enjoy, use.

víglans, -ntis, c. watchful person.

LESSON XXIX.

Verbs Controlling Special Cases.—Continued.

- 89.**
1. Quicquid plantátur sólo, sólo cédit.
 2. Quod cónstat cúriæ ópere téstium non indiget.
 3. Vërba intentioni, non e contra, débent inservire.
 4. Absoluta senténtia expositione non indiget.
 5. Inténtio inservire débet légibus, non léges intentioni.
 6. Pácta priváta júri público non derogáre possunt.
 7. Convéntio privatorum non pótet público júri derogáre.

8. Lex non fávet delicatórum vótis.
9. Nemo præsumitur esse immemor suæ ætér-
næ salútis, et máxime in artículo mórtis.
10. Fictio cédit veritatí; fictio júris non est áb-
véritas.
11. Abúndans cautéla non nócet.
12. Aedificáre in tuo próprio sólo non licet quod
álteri nócet.
13. Nemo cógitur suam rem véndere étiam jústo-
prétio.

90. absolútus,-a;-um, adj., *absolute*.

ac, conj., *and*.

artículus,-i, m. *article, moment, grasp*.

cédo,-ere, céssi, céssum, *pass, go*.

convéntio,-ónis, f. *convention, contract*.

delicátus,-i, m. *dainty person*.

dérogo,-áre,-ávi,-átum, *detract from*.

fáveo, favére, fávi,-fautum, w. dat., *favor*.

fictio,-ónis, f. *fiction*.

immemor,-óris, adj., *unmindful*.

indígeo,-ére,-ui, —, w. gen. or abl., *be in want
of*.

insérvio,-íre,-ívi(f),-ítum, w. dat., *be subser-
vient to*.

ópus,-eris, n. *assistance*.

páctum,-i, n. *agreement*.

plánto,-áre,-ávi,-átum, *affix, annex*.

strictus,-a,-um, adj., *strict*.

tútus,-a,-um, adj., *safe*.

vótum,-i, n. *wish*.

LESSON XXX.

Ablative Absolute.

91. 1. Cessante causa, cessat effectus.
2. Cessante ratione legis cessat ipsa lex.
3. Deo non possunt in solido unam rem possidere.
4. Actio non accrevit infra sex annos¹.
5. Ratio est legis anima; mutata legis ratione mutatur et lex.
6. Reprobata pecunia liberat solventem.
7. Sublato fundamento, cadit opus.
8. Crescente malitia crescere debet et poena.
9. Legibus sumptis desinentibus, legibus naturæ utendum est.
10. Pendente lite nihil innovetur.
11. Sublata causa, tollitur effectus.

92. accresco, -ere, -evi, -etum, *accrue*.
 anima, -æ, f. *soul, life*.
 cesso, -are, -avi, -atum, *cease*.
 cresco, -ere, -evi, -etum, *increase*.
 desino, -ere, -ii (ivi), -itum, *fail*.
 effectus, -us, m. *effect*.
 fundamentum, -i, n. *foundation*.
 infra, prep., *within*.
 innovo, -are, -avi, -atum, *introduce*.
 libero, -are, -avi, -atum, *absolve, discharge*.
 lis, -litis, f. *suit*.

¹ See 132 XXIII.

² See 132 XVI.

malítia, -æ, f. *malice*.

opus, -eris n. *structure*.

pecúnia, -æ, f. *money*.

pendeo, pendere, pepéndi, pensus, *continue*.

reprobo, -are, -avi, -atum, *refuse*.

sex, indecl. num., *six*.

sólidus, -a, -um, adj., *entire*.

sólvo, -ere, i, solútum, *free, release*.

súffero, -ferre, sústuli, sublátum, *remove*.

LESSON XXXI.

Subjunctive.

93. 1. Cáveat émp¹tor; cáveat vénditor.
 2. Ut poéna ad paúcos, mé²tus ad ómnes per
 véniat³.
 3. Respóndeat supér⁴ior.
 4. Sic útere túo ut alién⁵um non laédas⁶.
 5. Qui péccat ébrius, lúat⁷ sóbrius.
 6. Interpretátio fiénda est ut res mágis váleat⁸
 quam péreat⁹.
 7. Núllus recéd¹⁰at e cúria cancellária síne re-
 médio.
 8. Fieri fácias; scíre fácias.
 9. Non fácias málum ut inde véniat¹¹ bónum.
 10. Áctus non fácit réum nísi mens sit¹² réa.
 11. Cassétur¹³ bílla.
 12. Hábeas¹⁴ córpus.

¹ See 132, XXXII.

² See 132, XXVII.

³ See 132, XXVII.

⁴ See 132, XXXIII.

- 94.** *bill*, -æ, *f. writ, bill.*
cancellarius, -a, -um, *of chancery, of equity.*
cásso, -äre, -ävi, -átum, *quash.*
cáveo, -ére, cávi, cáutum, *beware.*
ébrius, -a, -um, *adj., intoxicated.*
émptor, -óris, *m. buyer.*
fio, fieri, fáctus sum, *be made.*
inde, *adv., thence.*
laédo, -ere, laédi, laésum, *injure.*
lúo, -ere, lúi, lútum, *expiate.*
málum, -i, *n. wrong.*
mens, -ntis, *f. intent.*
métus, -us, *m. fear.*
paúci, -órum, *m. few.*
pécco, -äre, -ävi, -átum, *do wrong.*
péreo, -ire, -il (ivi), -itum, *fail, fall.*
pervénio, -ire, -véni, -véntum, *come upon.*
réus, -a, -um, *adj., criminal.*
réus, -i, *m. a guilty person.*
recédo, -cédere, -céssi, -céssum, *depart from.*
scio, -ire, -ivi, -itum, *know.*
sic, *adv., so, in such a manner.*
sóbrius, -a, -um, *adj., sober.*
supérieur, -óris, *c. principal.*
túus, -a, -um, *poss. pron., your, yours.*
ut, *conj., in order that.*
váleo, -ére, -ui, —, *stand.*
vénditor, -óris, *m. purchaser.*

LESSON XXXII.

Subjunctive.—Continued. Accusative and Infinitive.

95. 1. Non definitur in jure quid sit¹ conatus.
 2. Conditio praecedens adimpleri debet priusquam effectus sequatur.
 3. Qui non prohibet cum prohibere possit² in culpa est.
 4. Discretio est discernere per legem quid sit¹ justum.
 5. Dóti lex fávet; praemium pudoris est, ideo parcatur.
 6. Lex non requirit verificari quod apparet cúrlæ.
 7. Non decipitur qui scit se⁴ decipi.
 8. Ínterest repúblicæ supréma hóminum testaménta ráta habéri.
 9. Lex inténdit vicinum vicini fácta scíre.
 10. Fúror contráhi matrimónium non sínit, quia consénsus opus est.
 11. Árma in armátos súmeré júra sínunt.
 12. Ínterest reipúblicæ res judicátas non rescindi.
96. adimpleo, -ere, -évi, -étum, *fulfill*.
 appareo, -ere, -ui, -itum, *appear*.
 armátus, -i, m. *an armed person*.

¹See 132, XXX.²See 132, XXVIII.³See 132, XXIX.⁴See 132, XXVI.

conátus,-us, m. *attempt.*

contraho,-ere,-tráxi,-tractum, *contract, consummate.*

cúlpa,-æ, f. *fault.*

decipio,-ere,-cépi,-céptum, *deceive.*

definio,-ire,-ivi-(fi),-itum, *define.*

discérno,-ere,-crévi,-crétum, *ascertain.*

discrétio,-ónis, f. *discretion.*

dos, dótis, f. *dower.*

fúror,-óris, m. *passion.*

ideo, adv., *on that account.*

inténdo,-ere,-di,-téntum, *presume.*

intersum,-esse,-fui, *interest to.*

jústus,-a,-um, adj., *just.*

opus ésse, *to be necessary.*

párco,-ere, pepérí (pársi) párcitum (pársum)
preserve.

praémium,-i, n. *reward.*

priúsqvam, conj., *before.*

púdor,-óris, m. *virtue.*

quia, conj., *because.*

quis, quæ, quid, interrog. pron., *what.*

rátus,-a,-um, adj., *regarded, confirmed.*

rescindo,-ere,-scidi,-scissum, *disregard.*

sino,-ere, sivi, situm, *permit.*

súmo,-ere, súmpsi, súmptum, *to take up.*

vicínus,-i, m. *neighbor.*

NOUNS.

97. The Latin has six cases:

NAMES.	ENGLISH EQUIVALENTS.
Nominative,	Nominative.
Genitive,	Possessive or Objective with of.
Dative,	Objective with to or for.
Accusative,	Objective.
Vocative,	Nominative Independent.
Ablative,	Objective with from, with, by, in.

1. Oblique Cases.—The Genitive, Dative, Accusative and Ablative are called the Oblique Cases.

2. Vocative.—The Vocative is like the Nominative, unless otherwise indicated.

NOUNS.

98. First Declension.—A—Stema.

SINGULAR.	PLURAL.
N. <i>persóna, a person.</i>	<i>persónæ, persons.</i>
G. <i>persónæ, of a person.</i>	<i>persónarum, of persons.</i>
D. <i>persónæ, to or for a person.</i>	<i>persónis, to or for persons.</i>
Ac. <i>persónam, a person.</i>	<i>persónas, persons.</i>
Ab. <i>persóna, with a person.</i>	<i>persónis, with persons.</i>

SECOND DECLENSION.

99.

O—Stems.

	SINGULAR.	PLURAL.
N.	bónus	bóni
G.	bóni	bónórum
D.	bóno	bónis
Ac.	bónum	bónos
Ab.	bóno	bónis

	SINGULAR.	PLURAL.
N.	amícus	amíci
G.	amíci	amícórum
D.	amíco	amícis
Ac.	amícum	amícos
Ab.	amíco	amícis

a. The vocative singular of nouns in -us of the second declension has a special form in -e: amíce.

	SINGULAR.	PLURAL.
N.	dónum	dóna
G.	dóni	dónórum
D.	dóno	dónis
Ac.	dónum	dóna
Ab.	dóno	dónis

	SINGULAR.	PLURAL.
N.	púer	púeri
G.	púeri	puerórum
D.	púero	púeris
Ac.	púerum	púeros
Ab.	púero	púeris

	SINGULAR.	PLURAL.
N.	magíster	magístri
G.	magístri	magistrórum

D.	magistro	magistris
Ac.	magistrum	magistros
Ab.	magistro	magistris

	SINGULAR.	PLURAL.
N.	filius	fili
G.	fili, filii	filiórum
D.	filio	filiis
Ac.	filium	filios
Ab.	filio	filiis

a. The vocative singular of *filius* is *filii*.

	SINGULAR.	PLURAL.
N.	consilium	consília
G.	consili, consilii	consiliórum
D.	consilio	consiliis
Ac.	consilium	consília
Ab.	consilio	consiliis

THIRD DECLENSION.

100.

Mute Stems.

	SINGULAR.	PLURAL.
N.	pax	páces
G.	pácis	_____
D.	páci	pácibus
Ac.	pácem	páces
Ab.	páce	pácibus

	SINGULAR.	PLURAL.
N.	rex	réges
G.	régis	régum
D.	régi	régibus
Ac.	régem	réges
Ab.	rége	régibus

SINGULAR.	PLURAL.
N. cōmes	cōmites
G. cōmitis	cōmitum
D. cōmiti	comítibus
Ac. cōmitem	cōmites
Ab. cōmite	comítibus

SINGULAR.	PLURAL.
N. cāput	cāpita
G. cāpitis	cāpitum
D. cāpiti	capítibus
Ac. cāput	cāpita
Ab. cāpite	capítibus

SINGULAR.	PLURAL.
N. ætās	ætātes
G. ætātis	ætātum
D. ætāti	ætátibus
Ac. ætātem	ætātes
Ab. ætāte	ætátibus

SINGULAR.	PLURAL.
N. fraus	fraúdes
G. frauðis	fraúdim
D. frauði	fraúdiþus
Ac. frauðem	fraúdes
Ab. frauðe	fraúdiþus

SINGULAR.	PLURAL.
N. hæres	hærédes
G. hærédis	hærédim
D. hærédi	hærédiþus
Ac. hærédem	hærédes
Ab. hæréde	hærédiþus

SINGULAR.	PLURAL.
N. sérvitus	servitútes
G. servitútis	servitútum

D. servitúti	servitútibus
Ac. servitútem	servitútes
Ab. servitúti	servitútibus

SINGULAR.

PLURAL.

N. dos	dótes
G. dótis	dótiūm
D. dóti	dótiibus
Ac. dótem	dótes
Ab. dóte	dótiibus

101.

Liquid Stems.

SINGULAR.

PLURAL.

N. visitátio	visitatióne
G. visitatiónis	visitatiónum
D. visitatióni	visitatióniibus
Ac. visitatióne	visitatiónes
Ab. visitatióne	visitatióniibus

SINGULAR.

PLURAL.

N. mos	móres
G. móris	mórum
D. móri	móriibus
Ac. mórem	móres
Ab. móre	móriibus

SINGULAR.

PLURAL.

N. páter	pátres
G. pátris	pátrum
D. pátri	pátriibus
Ac. pátre	pátres
Ab. pátre	pátriibus

SINGULAR.

PLURAL.

N. consuetúdo	consuetúdines
G. consuetúdinis	consuetúdinū

NOUNS.

57

D.	consuetúdini	consuetudinibus
Ac.	consuetudinem	consuetudines
Ab.	consuetudine	consuetudinibus

SINGULAR.

PLURAL.

N.	stipulátor	stipulátóres
G.	stipulátoris	stipulátorum
D.	stipulátóri	stipulátoribus
Ac.	stipulatórem	stipulátóres
Ab.	stipulátore	stipulátoribus

SINGULAR.

PLURAL.

N.	hómo	hómines
G.	hóminis	hóminum
D.	hómini	hóminibus
Ac.	hóminem	hómines
Ab.	hómine	hóminibus

SINGULAR.

PLURAL.

N.	jus	júra
G.	júris	júrum
D.	júri	júribus
Ac.	jus	júra
Ab.	júre	júribus

SINGULAR.

PLURAL.

N.	os	óra
G.	óris	_____
D.	óri	óribus
Ac.	os	óra
Ab.	óre	óribus

SINGULAR.

PLURAL.

N.	córpus	córpora
G.	cóporis	cóporum
D.	cópori	corpóribus
Ac.	córpus	córpora
Ab.	córpore	corpóribus

	SINGULAR.	PLURAL.
N.	nómen	nómina
G.	nóminis	nóminum
D.	nómini	nomínibus
Ac.	nómen	nómina
Ab.	nómine	nomínibus

102.

Stems in i.

	SINGULAR.	PLURAL.
N.	téstis	téstes
G.	téstis	téstium
D.	tésti	téstibus
Ac.	téstem	téstes
Ab.	téste	téstibus

	SINGULAR.	PLURAL.
N.	principále	principália
G.	principális	principálium
D.	principáli	principálibus
Ac.	principále	principália
Ab.	principáli	principálibus

	SINGULAR.	PLURAL.
N.	mens	méntes
G.	méntis	méntium
D.	ménti	méntibus
Ac.	méntem	méntes
Ab.	ménte	méntibus

	SINGULAR.	PLURAL.
N.	pars	pártes
G.	pártis	pártium
D.	párti	pártibus
Ac.	pártem, im	pártes
Ab.	párte	pártibus

NOUNS.

FOURTH DECLENSION.

103.

U Stems.

	SINGULAR.	PLURAL.
N.	actus	actus
G.	actus	actuum
D.	actui	actibus
Ac.	actum	actus
Ab.	actu	actibus

104.

FIFTH DECLENSION.

E—Stems.

	SINGULAR.	PLURAL.
N.	dies	dies
G.	diēi	diērum
D.	diēi	diēbus
Ac.	diem	dies
Ab.	diē	diēbus

	SINGULAR.	PLURAL.
N.	res	res
G.	rēi	rērum
D.	rēi	rēbus
Ac.	rem	res
Ab.	re	rēbus

105.

Special Paradigms.

N.	dēus	dēi, dīi, di
G.	dēi	dēorum, dēum
D.	dēo	dēis, dīs, dīs
Ac.	dēum	dēos
Ab.	dēo	dēis, dīs, dīs

ADJECTIVES.

	SINGULAR.	PLURAL.
N.	dómus	dómus
G.	dómus	dómiuum, domórum
D.	dómui, dómo	dómibus
Ac.	dómun	dómos, dómus
Ab.	dómo, dómu	dómibus

	SINGULAR.	PLURAL.
N.	vis	víres
G.	vis	vírium
D.	vi	víribus
Ac.	vim	víres
Ab.	vi	víribus

106.

Compound Nouns.

	SINGULAR	PLURAL
N.	respública	respúblicæ
G.	reipúblicæ	rerumpublicárum
D.	reipúblicæ	rebuspúblicis
Ac.	rempublicam	respúblicas
Ab.	república	rebuspúblicis

ADJECTIVES.

107. First and Second Declensions.

	SINGULAR.		
	Masculine.	Feminine.	Neuter.
N.	bónus	bóna	bónum
G.	bóni	bónæ	bóni
D.	bóno	bónæ	bóno
Ac.	bónum	bónam	bónum
Ab.	bóno	bóna	bóno

PLURAL.

N.	bóni	bónæ	bóna
G.	bonórum	bonórum	bonórum
D.	bónis	bónis	bónis
Ac.	bónos	bónas	bóna
Ab.	bónis	bónis	bónis

SINGULAR.

	Masc.	Fem.	Neut.
N.	miser	miseræ	miserum
G.	miseri	miseræ	miseri
D.	miserō	miseræ	miserō
Ac.	miserum	miseram	miserum
Ab.	miserō	miseræ	miserō

PLURAL.

N.	miseri	miseræ	miseræ
G.	miserórum	miserárum	miserórum
D.	miseris	miseris	miseris
Ac.	miseros	miseras	miseræ
Ab.	miseris	miseris	miseris

SINGULAR.

N.	integer	integra	integrum
G.	intégri	integræ	integri
D.	intégro	integræ	integro
Ac.	intégrum	integram	integrum
Ab.	intégro	integra	integro

PLURAL.

	Masc.	Fem.	Neut.
N.	integri	integræ	integra
G.	integrórum	integrárum	integrórum
D.	integrís	intégriis	integrís
Ac.	integros	in égras	intégria
Ab.	integrís	intégriis	integrás

108.

THIRD DECLENSION

SINGULAR.

	Masc. and Fem.	Neut.
N.	simplex	simplex
G.	simplicis	simplicis
D.	simplici	simplici
Ac.	simplicem	simplex
Ab.	simplici, -e	simplici, -e

PLURAL.

	Masc. and Fem.	Neut.
N.	simplices	simplicia
G.	simplicium	simplicium
D.	simplicibus	simplicibus
Ac.	simplices, -is	simplicia
Ab.	simplicibus	simplicibus

SINGULAR.

	Masc. and Fem.	Neut.
N.	præcédens	præcédens
G.	præcédentis	præcédentis
D.	præcédenti	præcédenti
Ac.	præcédentem	præcédens
Ab.	præcédente, -i	præcédente, -i

PLURAL.

	Masc. and Fem.	Neut.
N.	præcédentes	præcédéntia
G.	præcédéntium	præcédéntium
D.	præcédéntibus	præcédéntibus
Ac.	præcédentes, -is	præcédéntia
Ab.	præcédéntibus	præcédéntibus

SINGULAR.

	Masc. and Fem.	Neut.
N.	brévis	brève
G.	brévis	brévis

D.	brévi	brévi
Ac.	brévem	bréve
Ab.	brévi	brévi

PLURAL.

	Masc. and Fem.	Neut.
N.	brèves	brévia
G.	brévium	brévium
D.	brévibus	brévibus
Ac.	brèves, -is	brévia
Ab.	brévibus	brévibus

109. Irregular Adjectives.

SINGULAR

N.	Masc.	Fem.	Neut.
N.	álius	ália	áliud
G.	alíus	alíus	alíus
D.	álii	álii	álii
Ac.	álium	áliam	áliud
Ab.	álio	ália	álio

PLURAL.

	Masc.	Fem.	Neut.
N.	álii	áliæ	ália
G.	aliórum	aliárum	aliórum
D.	áliis	áliis	áliis
Ac.	alios	alias	ália
Ab.	áliis	áliis	áliis

SINGULAR.

	Masc.	Fem.	Neut.
N.	únus	úna	únus
G.	uníus	uníus	uníus
D.	úni	úni	úni
Ac.	únus	únam	únus
Ab.	úno	úna	úno

110. Comparison of Adjectives.

In Latin, as in English, there are three degrees of comparison, the positive, the comparative, and the superlative.

Positive.	Comparative.	Superlative.
firmus	firmior	firmissimus
fortis	fortior	fortissimus
simplex	simplicior	simplicissimus

a. Observe that the comparative is formed from the stem of the positive by dropping the stem vowel, if there be one, and adding—*ior*; the superlative, by adding—*issimus*

b. The comparative of all adjectives except *plus*, *more*, is declined like *firmior* (113); the superlative like *bonus*.

111. Irregular Comparison.

Positive.	Comparative.	Superlative.
exterus	exterior	extremus, extremus
inferus	inferior	infimus, imus
posterus	posterior	postrémus, póxtumus
superus	superior	suprémus, súmmus
[præ, pro, before.]	prior	primus
[præpe, near.]	propior	proximus
[ultra, beyond.]	ulterior	ultimus
bonus	mélior, mélius	optimus
magnus	máior, máius	máximus
multus	——, plus	plúrimus
parvus	mínor, mínus	mínimus

112. Formation and Comparison of Adverbs.

Formation—Models.

Adjective.	Stem.	Adverb.
<i>firmus, firm.</i>	<i>firmo —</i>	<i>firmē, firmly.</i>
<i>miser, wretched.</i>	<i>miserō —</i>	<i>misere, wretchedly.</i>

a. Observe that adverbs from adjectives with o-stems are formed by changing the o into e.

<i>fórtis, brave.</i>	<i>fórti —</i>	<i>fórtiter, bravely.</i>
<i>fréquens, fre-</i>	<i>fréquēti —</i>	<i>fréquēter, frequently.</i>

b. Observe that adverbs are formed from adjectives with i-stems by adding *ter* to the stem.

c. Observe that stems—*nti*—drop *ti* before *ter*.

ADJECTIVE.	ADVERB.
<i>múltus, much.</i>	<i>múltum, much.</i>
<i>fácilis, easy.</i>	<i>fácilē, easily.</i>
<i>brévis, brief.</i>	<i>brévē, briefly.</i>

d. The accusative singular neuter of the adjective is sometimes used as an adverb.

<i>cítus, quick.</i>	<i>cító, quickly.</i>
<i>prímus, first.</i>	<i>prímo, at first.</i>

e. The ablative singular neuter of the adjective is sometimes used as an adverb.

Comparison.

Positive.	Comparative.	Superlative.
<i>firmē</i>	<i>fírmíus</i>	<i>fírmíssimē</i>
<i>miserē</i>	<i>miséríus</i>	<i>misérísimē</i>
<i>feliciter</i>	<i>felicíus</i>	<i>felicíssimē</i>

béne	mélius	óptime
mále	péjus	péssime
múltum	plus	plúrimum
_____	mágis	máxime

a. Observe that the comparative of the adverb is the same as the neuter accusative singular of the comparative of the adjective; and that the superlative is formed from the superlative of the adjective by changing, as in the positive, the final o of the stem to e.

b. If the adjective is irregular in comparison, the adverb is also irregular.

113. Declension of Comparatives.

SINGULAR.

	Masc. and Fem.	Neut.
N.	firmior	firmius
G.	firmiôris	firmiôris
D.	firmiôri	firmiôri
Ac.	firmiôrem	firmius
Ab.	firmiôre, -i	firmiôre, -i

PLURAL.

	Masc. and Fem.	Neut.
N.	firmiôres	firmiôres
G.	firmiôrum	firmiôrum
D.	firmiôribus	firmiôribus
Ac.	firmiôres, -is	firmiôra
Ab.	firmiôribus	firmiôribus

SINGULAR.

	Masc. and Fem.	Neut.
N.	_____	plus
G.	_____	plúris
D.	_____	_____
Ac.	_____	plus
Ab.	_____	plúre

PRONOUNS.

67

PLURAL.

	Masc. and Fem.	Neut.
N.	plúres	plúra
G.	plúrium	plúrium
D.	plúribus	plúribus
Ac.	plúres, -is	plúra
Ab.	plúribus	plúribus

114.

Numerals.

CARDINALS.

ORDINALS.

1.	únus, -a, -m	prímus, -a, -um
2.	dúo, dúæ, duo	secúndus (or álter)
3.	tres, tría	tértius
4.	quáttuor	quártus
5.	quínque	quíntus
6.	sex	séxtus
7.	séptem	séptimus
8.	ócto	octávus
9.	nóvem	nónus
10.	décem	décimus

PRONOUNS.

115.

Reflexive.

	SINGULAR.	PLURAL.
N.	—	—
G.	súi	súi
D.	síbi	síbi
Ac.	se, sése	se, sése
Ab.	se, sése	se, sése

116.

Demonstrative.

SINGULAR.			PLURAL.			
N.	hic	hæc	hoc	hi	hæ	hæc
G.	húius	húius	húius	hórum	hárum	hórum
D.	huic	huic	huic	his	his	his
Ac.	hunc	hanc	hoc	hos	has	hæc
Ab.	hoc	hac	hoc	his	his	his
N.	ille	illa	illud	illi	illæ	illa
G.	illius	illius	illius	illórum	illárum	illórum
D.	illi	illi	illi	illis	illis	illis
Ac.	illum	illam	illud	illos	illas	illa
Ab.	illo	illa	illo	illis	illis	illis
N.	is	éa	id	éi, fi	éæ	éa
G.	éius	éius	éius	eórum	eárum	eórum
D.	éi	éi	éi	éis, fīs	éis, fīs	éis, fīs
Ac.	éum	éam	id	éos	éas	éa
Ab.	éo	éa	éo	éis, fīs	éis, fīs	éis, fīs

SINGULAR.

N.	idem	éadem	idem
G.	eiúsdem	eiúsdem	eiúsdem
D.	eídem	eídem	eídem
Ac.	eúndem	eándem	idem
Ab.	eódem	eádem	eódem

PLURAL.

N.	{ eídem iídem	eaédem	éadem
G.	eorúndem	earúndem	eorúndem
D.	{ eísdem iísdem	{ eísdem iísdem	{ eísdem iísdem
Ac.	eósdem	eásdem	éadem
Ab.	{ eísdem iísdem	{ eísdem iísdem	{ eísdem iísdem

SINGULAR.

PLURAL.

N.	ipse	ipsa	ipsum	ipsi	ipsæ	ipsa
G.	ipsius	ipsius	ipsius	ipsorum	ipsarum	ipsorum
D.	ipsi	ipsi	ipsi	ipsis	ipsis	ipsis
Ac.	ipsum	ipsam	ipsum	ipsos	ipsas	ipsos
Ab.	ipso	ipsa	ipso	ipsis	ipsis	ipsis

117.

Relative.

SINGULAR.

PLURAL.

N.	qui	quæ	quod	qui	quæ	quæ
G.	cuius	cuius	cuius	quorum	quarum	quorum
D.	cui	cui	cui	quibus	quibus	quibus
Ac.	quem	quam	quod	quos	quas	quæ
Ab.	quo	qua	quo	quibus	quibus	quibus

118.

Interrogative.

N.	quis	quæ	quid	qui	quæ	quæ
G.	cuius	cuius	cuius	quorum	quarum	quorum
D.	cui	cui	cui	quibus	quibus	quibus
Ac.	quem	quam	quid	quos	quas	quæ
Ab.	quo	qua	quo	quibus	quibus	quibus

119.

Indefinite.

SINGULAR.

N.	aliquis	aliqua	aliquid, aliquod
G.	alicuius	alicuius	alicuius
D.	alicui	alicui	alicui
Ac.	aliquem	aliquam	aliquid, aliquod
Ab.	aliquo	aliqua	aliquo

PLURAL.

N.	aliqui	aliquæ	aliqua
G.	aliquorum	aliquarum	aliquorum
D.	aliquibus	aliquibus	aliquibus
Ac.	aliquos	aliquas	aliqua
Ab.	aliquibus	aliquibus	aliquibus

SINGULAR.

N.	quídam	quaédam	quíddam, quóddam
G.	cuiúsdam	cuiúsdam	cuiúsdam
D.	cuídam	cuídam	cuídam
Ac.	quéndam	quáudam	quíddam, quóddam
Ab.	quódam	quádam	quódam

PLURAL.

N.	quídam	quaédam	quaédam
G.	quorúndam	quarúndam	quorúndam
D.	quibúsdam	quibúsdam	quibúsdam
Ac.	quósdam	quásdam	quaédam
Ab.	quibúsdam	quibúsdam	quibúsdam

NOTE.—*Quisquis*, "*whoever*" or "*whatever*," is called from its signification a general relative. It is rare except in the forms *quisquis*, *quidquid* (*quicquid*.)

REGULAR VERBS.

120. First Conjugation.—A—Verbs.

Mándo, I command.

PRINCIPAL PARTS.

mándo, mandáre, mandávi, mandátus

Active Voice.

INDICATIVE MOOD—PRESENT TENSE.

I command.

Singular.	Plural.
<i>mándo</i>	<i>mandámus</i>
<i>mándas</i>	<i>mandátis</i>
<i>mándat</i>	<i>mándant</i>

IMPERFECT.

I was commanding, or I commanded.

mandábam	mandabámus
mandábas	mandabátis
mandábat	mandábant

FUTURE.

I shall or will command.

mandábo	mandábimus
mandábis	mandábitis
mandábit	mandábunt

PERFECT.

I have commanded, I commanded.

mandávi	mandávimus
mandavísti	mandavístis
mandávit	mandavérunt, or re

PLUPERFECT.

I had commanded.

mandáveram	mandaverámus
mandáveras	mandaverátis
mandáverat	mandáverant

FUTURE PERFECT.

I shall have commanded, etc.

mandávero	mandavérimus
mandáveris	mandavéritis
mandáverit	mandáverint

SUBJUNCTIVE—PRESENT.

May I command, let him command.

mandem	mandémus
mandes	mandétis
mandet	mandent

IMPERFECT.

I should command, he would command.

mandárem	mandarémus
mandáres	mandarétiſ
mandáret	mandárent

PERFECT.

I may have commanded, or I have commanded.

mandáverim	mandavérimus
mandáveriſ	mandavéritiſ
mandáverit	mandáverint

PLUPERFECT.

I should have commanded, he would have commanded.

mandaviſſem	mandaviſſémus
mandaviſſeſ	mandaviſſétiſ
mandaviſſet	mandaviſſent

IMPERATIVE—PRESENT.

manda, *command thou.***mandáte,** *command ye.*

FUTURE.

mandáto, *thou ſhalt command.***mandáto,** *he ſhall command.***mandatóte,** *ye ſhall command.***mandánto,** *they ſhall command.*

INFINITIVE.

Pres. mandáre, *to command.***Perf. mandaviſſe,** *to have commanded.***Fut. mandatúrus eſſe,** *to be about to command.*

PARTICIPLES.

Pres. mándans, ántiſ, *commanding.***Fut. mandatúrus, a, -um,** *about to command.*

GERUND.

N. ———

G. mandándi, *of commanding.*D. mandándo, *for commanding.*Ac. mandándum, *commanding.*Ab. mandándo, *by commanding.*

SUPINE.

Acc. mandátum, *to command.*Abl. mandátu, *to command, he commanded.*

Passive Voice.

INDICATIVE—PRESENT.

I am commanded, etc.

mandor	mandámur
mandáris, or re	mandámini
mandátur	mandántur

IMPERFECT.

I was commanded, etc.

mandábar	mandabámur
mandabáris, or re	mandabámini
mandabátur	mandabántur

FUTURE.

I shall be commanded, etc.

mandábor	mandábimur
mandáberis, or -re	mandabímini
mandábitor	mandabúntur

PERFECT.

I have been (was) commanded, etc.

mandátus	{	sum	mandáti	{	súmus
	{	es		{	éstis
	{	est		{	su

PLUPERFECT.

I had been commanded, etc.

mandátus	{	éram	mandáti	{	erámus
		éras			erátis
		érat			érant

FUTURE PERFECT.

I shall have been commanded, etc.

mandátus	{	éro	mandáti	{	érimus
		éris			éritis
		érit			érunt

SUBJUNCTIVE—PRESENT.

May I be commanded, let him be commanded.

mander	mandémur
mandéris, or -re	mandémini
mandétur	mandéntur

IMPERFECT.

I should command, he would command.

mandärer	mandarémur
mandaréris, or -re	mandarémini
mandarétur	mandaréntur

PERFECT.

I may have been commanded, etc.

mandátus	{	sim	mandáti	{	simus
		sis			sítis
		sit			sint

PLUPERFECT.

I should have been commanded, etc.

mandátus	{	éssem	mandáti	{	essémus
		esses			essétis
		ésset			ésSENT

IMPERATIVE—PRESENT.

mandáre, *be thou commanded.*

mandámini, *be ye commanded.*

FUTURE.

mandátor, *thou shalt be commanded.*

mandátor, *he shall be commanded.*

mandántor, *they shall be commanded.*

INFINITIVE.

Pres. mandári, *to be commanded.*

Perf. mandátus esse, *to have been commanded.*

Fut. mandátum íri, *to be about to be commanded.*

PARTICIPLES.

Ger. mandándus, -a, -um, *to be commanded.*

Perf. mandátus, -a, -um, *commanded, having been commanded.*

121. Second Conjugation.—E—Verbs.

Hábeo, *I hold.*

PRINCIPAL PARTS.

hábeo, habére, hábui, hábitus.

INDICATIVE MOOD—PRESENT TENSE.

I hold.

hábeo	habémus
hábes	habétis
hábet	hábent

SECOND CONJUGATION.

IMPERFECT.

I was holding, or I held.

habébam	habebámus
habébas	habebátis
habébat	habébant

FUTURE.

I shall or will hold.

habébo	habébimus
habébis	habébitis
habébit	habébunt

PERFECT.

I have held, or I held.

habui	habuimus
habuisti	habuistis
habuit	habuerunt, or, -re

PLUPERFECT.

I had held.

habuéram	habuerámus
habuéras	habuerátis
habuérat	habuerant

FUTURE PERFECT.

I shall or will have held.

habúero	habnérimus
habúeris	habuéritis
habúerit	habúerint

SUBJUNCTIVE—PRESENT.

May I hold, let him hold.

hábeam	habeámus
hábeas	habeátis
hábeat	hábeant

IMPERFECT.

I should hold, he could hold.

habérem	haberémus
habéres	haberétis
habéret	habérent

PERFECT.

I may have held, or I held.

habúerim	habuérimus
habueris	habuéritis
habúerit	habúerint

PLUPERFECT.

I should have held, he would have held.

habuíssem	habuissémus
habuisses	habuissétis
habuisset	habuissent

IMPERATIVE—PRESENT.

hábe, *have thou.*
habéte, *have ye.*

FUTURE

habéto, *thou shalt hold.*
habéto, *he shall hold.*
habetóte, *ye shall hold.*
habénto, *they shall hold.*

INFINITIVE.

Pres. habére, *to hold.*
Perf. habuísse, *to have held.*
Fut. habitúrus esse, *to be about to hold.*

PARTICIPLES.

Pres. hábens, -éntis, *holding.*
Fut. habitúrus, -a, -um, *about to hold.*

GERUND.

Gen. habéndi, *of holding.*
 Dat. habéndo, *for holding.*
 Acc. habéndum, *holding.*
 Abl. habéndo, *by holding.*

SUPINE.

Acc. hábitum, *to hold.*
 Ab. hábitu, *to hold, to be held.*

Passive Voice.

INDICATIVE MOOD—PRESENT TENSE.

I am held.

hábeor	habémur
habéris, or -re	habémini
habétur	habéntur

IMPERFECT.

I was held.

habébar	habebámur
habebáris, or -re	habebámini
habebátur	habebántur

FUTURE.

I shall or will be held.

habébor	habébimur
habéberis, or -re	habébimini
habébitur	habébúntur

PERFECT.

I have been held, or I was held.

hábitus	{	sum	{	súmus
		es		éstis
		est		sunt

PLUPERFECT.

I had been held.

hábitus	{	éram	hábiti	{	erámus
		éras			erátis
		érat			érant

FUTURE PERFECT.

I shall or will have been held.

hábitus	{	éro	hábiti	{	érimus
		éris			eratis
		érit,			erunt

SUBJUNCTIVE—PRESENT.

May I be held. let him be held.

hábear	habeámur
habeáris, or re	habeámini
habeátur	habeántur

IMPERFECT.

I should be held, he would be held.

habéier	haberémur
haberéris, or re	haberémini
haberétur	haberéntur

IMPERFECT.

I may have been held.

hábitus	{	sim	hábiti	{	símus
		sis			sítis
		sit			sint

THIRD CONJUGATION.

PLUPERFECT.

I should have been held.

hábitus	{	éssem	hábiti	{	essémus
		esses			essétis
		esset			essent

IMPERATIVE—PRESENT.

*habére, be thou held.**habémini, be ye held.*

FUTURE.

*habétor, thou shalt be held.**habétor, he shall be held.**habéntor, they shall be held.*

INFINITIVE.

*Pres. habéri, to be held.**Perf. hábitus é-ssé, to have been held.**Fut. hábitum íri, to be about to be held.*

PARTICIPLES.

*Ger. habéndus, -a, -um, to be held.**Perf. hábitus, -a, -um, held, having been held.*

122. Third Conjugation.—E—Verba.

Régo, I rule.

PRINCIPAL PARTS.

régo, régere, réxi, réctus

Active Voice.

INDICATIVE MOOD—PRESENT TENSE.

I rule.

Singular.

*régo**régis**régit*

Plural.

*régimus**régitis**régunt*

IMPERFECT.

I was ruling, or I ruled.

regébam	regelbámus
regébas	regelbátis
regébat	regelbant

FUTURE.

I shall or will rule.

régam	regemus
réges	regétis
réget	regent

PERFECT.

I have ruled, etc.

réxi	reximus
rexisti	rexistis
rexit	rexerunt, or -re

PLUPERFECT.

I had ruled, etc.

rexeram	rexerámus
rexeras	rexerátis
rexerat	rexerant

FUTURE PERFECT.

I shall have ruled, etc.

rexero	rexérimus
rexeris	rexéritis
rexerit	rexerint

SUBJUNCTIVE—PRESENT.

May I rule, let him rule.

régam	regámu
régas	regátis
régat	regant

THIRD CONJUGATION.

IMPERFECT.

I should rule, he would rule,

régerem	regerémus
régeres	regerétis
régeret	regerent

PERFECT.

I may have ruled, or I have ruled.

rexerim	rexérimus
rexeris	rexéritis
rexerit	rexerint

PLUPERFECT.

I should have ruled, he would have ruled

rexissem	rexissémus
rexisses	rexissé is
rexisset	rexissent

IMPERATIVE—PRESENT.

rége, rule thou.
régite, rule ye.

FUTURE.

régito, thou shalt rule.
régito, he shall rule.
regitôte, ye shall rule.
regúnto, they shall rule.

INFINITIVE.

Pres. régere, to rule.
Prof. rexisse, to have ruled.
Fut. rectúrus ésse, to be about to rule.

PARTICIPLES.

Pres. régens, -éntis, ruling.
Fut. rectúrus, -a, -um, about to rule.

GERUND.

N. ———
 G. regēdi, *of ruling*
 D. regēdo, *for ruling*.
 Ac. regēdum, *ruling*.
 Ab. regēdo, *by ruling*.

SUPINE.

Ac. réctum, *to rule*.
 Ab. réctu, *to rule, to be ruled*.

Passive.

INDICATIVE—PRESENT.

I am ruled, etc.

régor	régimur
régeris, or -re	regimini
regitur	reguntur

IMPERFECT.

I was ruled, etc.

regébar	regebámur .
regebáris, or -re	regebámini
regebátur	regebántur

FUTURE.

I shall be ruled, etc.

regar	regémur
regéris or -re	regémini
regétur	regéntur

PERFECT.

I have been ruled, etc.

réctus	{	sum	récti	{	súm
		es			ésti
		est			sunt

PLUPERFECT.

I had been ruled, etc.

rēctus	{	éram	rēcti	{	erāmus
		éras			erātis
		érat			érant

FUTURE PERFECT.

I shall have been ruled, etc.

rēctus	{	éro	rēcti	{	érimus
		éris			éritis
		érit			érunt

SUBJUNCTIVE—PRESENT.

May I be ruled, let him be ruled.

rēgar	regāmur
regāris or re	regāmini
regātur	regāntur

IMPERFECT.

I should be ruled, he would be ruled

régerer	regerémur
regeréris or-re	regerémini
regerétur	regeréntur

PERFECT.

I may have been ruled or I have been ruled

rēctus	{	sim	rēcti	{	simus
		sis			sitis
		sit			sint

PLUPERFECT.

I should have been ruled, etc.

rēctus	{	éssem	rēcti	{	esséimus
		esses			essétis
		éssent			éssent

IMPERATIVE—PRESENT.

régere, *be thou ruled.*regimini, *be ye ruled.*

FUTURE.

régitor, *thou shalt be ruled.*régitor, *he shall be ruled.*re gúntor, *they shall be ruled.*

INFINITIVE.

Pres. régi, *to be ruled.*Perf. rēctus ésse, *to have been ruled.*Fut. rēctum íri, *to be about to be ruled.*

PARTICIPLES.

Ger. regéndus, -a, -um, *to be ruled.*Perf. rēctus, -a, -um, *ruled, having been ruled.*

123.

Third Conjugation.

Verbs of the third conjugation in **io** have some forms of the present stem like the fourth conjugation. Before **a**, **o**, **u** and **i** they retain the **i** of the stem, but lose it elsewhere, except in the gerund and participle.

Cápío, *I take.*

PRINCIPAL PARTS.

cápío, cápere, cépi, cáptus

THIRD CONJUGATION.

Active Voice.

INDICATIVE MOOD—PRESENT TENSE.

I take.

Singular.	Plural.
cápio	cápinus
cápis	cápitis
cápit	cápiunt

IMPERFECT.

I was taking, I took.

capiébam	capiébámus
capiébas	capiébátis
capiébat	capiébant

FUTURE.

I shall or will take.

cápiam	capiémus
cápies	capiétis
cápiet	capient

PERFECT.

I have taken or I took.

cépi	cépinus
cepísti	cepístis
cépit	ceperunt

PLUPERFECT.

I had taken.

céperam	ceperamus
céperas	ceperátis
céperat	ceperant

FUTURE PERFECT.

I shall or will have taken.

cépero	ceperimus
céperis	ceperitis
céperit	ceperint

THIRD CONJUGATION.

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SUBJUNCTIVE—PRESENT.

May I take, let him take.

cápiam	capiámus
cápias	capiátis
cápiat	capiant

IMPERFECT.

I should take, he would take.

cáperem	caperémus
cáperes	caperétis
cáperet	caperent.

PERFECT.

I may have taken, or I have taken.

céperim	ceperimus
céperis	ceperitis
céperit	ceperint

PLUPERFECT.

I should have taken, he would have taken.

cepiissem	cepiisémus
cepiisses	cepiisétis
cepiisset	cepiissent

IMPERATIVE—PRESENT

cápe, take thou.
cápite, take ye.

FUTURE.

cápito, thou shalt take
cápito, he shall take
capitóte, ye shall take.
capiúnto, they shall take.

INFINITIVE.

Pres. cápere, to take.
Perf. cepisse, to have taken.
Fut. captúrus esse, to be about to take.

PARTICIPLES.

Pres. cāpiens, -iēntis, *taking*.Fut. captūrus, -a, -um, *about to take*.

GERUND.

N. ———

G. capiēdi, *of taking*.D. capiēdo, *for taking*.Ac. capiēdum, *taking*.Ab. capiēdo, *by taking*.

SUPINE.

Ac. cāptum, *to take*.Ab. cāptu, *to take, to be taken*.

Passive.

INDICATIVE—PRESENT.

I am taken, etc.

Singular.

cāpior

cāperis

cāpitur

Plural.

cāpimur

cāpimini

capiūntur

IMPERFECT.

I was taken, etc.

capiēbar

capiēbāris

capiēbātur

capiēbāmur

capiēbāmini

capiēbāntur

FUTURE.

I shall be taken, etc.

cāpiar

cāpiēris

cāpiētur

capiēmur

capiēmini

capiēntur

PERFECT.

I have been taken, etc.

cáptus	{ sum	cápti	{ súnus
	{ es		{ éntis
	{ est		{ sunt

PLUPERFECT.

I had been taken, etc.

cáptus	{ éram	cápti	{ erámus
	{ éras		{ erátis
	{ érat		{ éran

FUTURE PERFECT.

I shall have been taken.

cáptus	{ éro	cápti	{ érimus
	{ éris		{ éritis
	{ érit		{ érint

SUBJUNCTIVE—PRESENT.

May I be taken, let him be taken.

cápiar	capiámur
capiáris	capiámini
capiátur	capiántur

IMPERFECT.

I should be taken, he would be taken

cáperer	caperémur
caperéris	caperémini
caperétur	caperéntur

PERFECT

May have been taken, I have been taken.

cáptus	{ sim	cápti	{ sínus
	{ sis		{ sítis
	{ sit		{ sint

FOURTH CONJUGATION.

IMPERFECT.

I should hear, he would hear

audírem	audirémus
audíres	audirétis
audíret	audírent

PERFECT.

I may have heard or I have heard

audíverim	audivérimus
audíveris	audivérítis
audíverit	audíverint

PLUPERFECT.

I should have heard, he would have heard.

audivíssem	audivissémus
audivíssetis	audivissétis
audivísset	audivísset

IMPERATIVE—PRESENT.

aúdi, *hear thou.*audíte, *hear ye.*

FUTURE.

audíto, *thou shalt hear.*audíto, *he shall hear.*auditóte, *ye shall hear.*audiúto, *they shall hear.*

INFINITIVE.

Pres. audíre, *to hear.*Perf. audivísse, *to have heard.*Fut. auditúrus esse, *to be about to hear.*

PARTICIPLES.

Pres. aúdiens, éntis, *hearing.*Fut. auditúrus, a, -um, *about to hear.*

GERUND.

Gen. audiéndi, *of hearing.*
 Dat. audiendo, *for hearing.*
 Acc. audiendum, *hearing.*
 Abl. audiendo, *by hearing.*

SUPINE.

Acc. auditum, *to hear.*
 bl. auditu, *to hear, to be heard.*

Passive Voice.

INDICATIVE MOOD—PRESENT TENSE

I am heard.

Singular.	Plural.
audior	audimur
audiris, or re	audimini
auditur	audiuntur

IMPERFECT.

I was heard.

audiebar	audiebámur
audiebáris, or re	audiebámini
audiebátur	audiebántur

UTURE.

I shall or will be heard.

audiar	audiémur
audiéris, or re	audiémini
audiétur	audiéntur

PERFECT.

I have been heard, or I was heard.

auditus	{ sum	auditi	{ súmus
	{ es		{ éstis
	{ est		{ sunt

FOURTH CONJUGATION.

PLUPERFECT.

I have been heard.

auditus	{	eram	auditi	{	eramus
		eras			eratis
		erat			erant

FUTURE PERFECT.

I shall or will have been heard.

auditus	{	éro	auditi	{	erimus
		eris			eratis
		erit			erant

SUBJUNCTIVE—PRESENT.

May I be heard, let him be heard.

audiar	audiámur
audiáris, or re	audiámini
audiátur	audiántur

IMPERFECT.

I should be heard, he would be heard.

audírer	audirémur
audiréris, or re	audirémini
audirétur	audiréntur

PERFECT.

I may have been heard.

auditus	{	sim	auditi	{	simus
		sis			situs
		sit			sint

PLUPERFECT.

I should have been heard.

auditus	{	éssem	audíti	{	essémus
		ésses			essétis
		ésset			éssent

IMPERATIVE—PRESENT.

audíre, *be thou heard.*

audímini, *be ye heard.*

FUTURE.

audítor, *thou shalt be heard.*

audítor, *he shall be heard.*

audiántor, *they shall be heard.*

INFINITIVE.

Pres. audíri, *to be heard.*

Perf. audítus ésse, *to have been heard.*

Fut. audítum íri, *to be about to be heard.*

PARTICIPLES.

Pres. _____

Ger. audiéndus, -a, -um, *to be heard.*

Perf. audítus, -a, -um, *having been heard.*

125.

Deponent Verbs.

Séquor, *I follow.*

PRINCIPAL PARTS.

séquor séquí secútus

INDICATIVE MOOD—PRESENT.

I follow.

séquor	séquimur
séqueris, or re	sequímini
séquitur	sequúntur

IMPERFECT.

I was following, or I followed.

sequēbar	sequēbāmur
sequēbāris, or re	sequēbāmini
sequēbātur	sequēbāntur

FUTURE.

I shall or will follow.

sequar	sequēmur
sequāris, or re	sequēmini
sequētur	sequēntur

PERFECT.

I have followed, or I followed.

secūtus	sum	secūti	sūmus
	es		ēstis
	est		sunt

PLUPERFECT.

I had followed.

secūtus	eram	secūti	erāmus
	eras		erātis
	erat		erant

FUTURE PERFECT.

I shall or will have followed.

secūtus	éro	secūti	erimus
	eris		eritis
	erit		erunt

SUBJUNCTIVE—PRESENT.

May I follow, let him follow.

sequar	sequāmur
sequāris, or re	sequāmini
sequātur	sequāntur

IMPERFECT.

I should follow, he would follow.

séquerer	sequerémur
sequeréris, or re	sequerémini
sequerétur	sequeréntur

PERFECT.

I may have followed, or I have followed.

secútus	{	sim	secúti	{	símus
		sis			sítis
		sit			sínt

PLUPERFECT.

I should have followed.

secútus	{	éssem	secúti	{	essémus
		ésses			essétis
		ésset			éssent

IMPERATIVE—PRESENT.

séquere, *follow thou.*

sequimini, *follow ye.*

FUTURE.

séquitor, *thou shalt follow.*

séquitor, *he shall follow.*

sequúntor, *they shall follow.*

INFINITIVE.

Pres. séqui, *to follow.*

Perf. secútus ésse, *to have followed.*

Fut. secutúrus ésse, *to be about to follow.*

PARTICIPLES.

Pres. séquens, éntis, *following.*

Fut. secutúrus, -a, -um, *about to follow.*

Perf. secútus, -a, -um, *having followed.*

Ger. sequéndus, -a, -um, *to be followed.*

GERUND.

Gen. sequēdi, *of following.*Dat. sequēdo, *for following.*Acc. sequēdum, *following.*Abl. sequēdo, *by following.*

SUPINE.

Acc. secútum, *to follow.*Abl. secútu, *to follow, to be followed.*

It will be observed that *sequor* is conjugated like the passive of the third conjugation. Deponents in their conjugations, follow the passive voice of the conjugation to which they belong. It will be noted, however, from the conjugation of *sequor*, that the present participle, future participle, gerund, supine and gerundive are added from the corresponding active conjugations.

126.

Irregular Verbs.

Sum, *I am.*

PRINCIPAL PARTS.

sum,	esse,	fúi,	futúrus.
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INDICATIVE MOOD—PRESENT.

Singular.	Plural.
sum	súmus
es	éstis
est	sunt

IMPERFECT.

éram	erámus
éras	erátis
erat	erant

FUTURE.

éro	érimus
éris	éritis
erit	erunt

IRREGULAR VERBS.

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PERFECT.

fui	fuérimus
fuisti	fuéritis
fuit	fuérint

PLUPERFECT.

fuéram	fuérámus
fuéras	fuérátis
fuérat	fuérant

FUTURE PERFECT.

fuéro	fuérimus
fuéris	fuéritis
fuérit	fuérint

SUBJUNCTIVE—PRESENT.

sim	simus
sis	sitis
sit	sint

IMPERFECT.

éssem	essémus
esses	essétis
éssét	éssent

PERFECT.

fuérim	fuérimus
fuéris	fuéritis
fuérit	fuérint

PLUPERFECT.

fuíssem	fuissémus
fuisses	fuissétis
fuíssét	fuissent

IMPERATIVE—PRESENT.

es
éste

FUTURE.

ésto
 ésto
 estóte
 súnto

INFINITIVE.

Pres. ésse
 Perf. fuisse
 Fut. futúrus esse

PARTICIPLE.

Fut. futúrus, a, -um

127. Póssum, pósse, pótui, *to be able.*

INDICATIVE—PRESENT.

Singular.	Plural.
póssum	possúmus
pótes	potéstis
pótest	póssunt

IMPERFECT.

póteram poterámus

FUTURE.

pótero poterimus

PERFECT.

pótui potúimus

PLUPERFECT.

potúeram potuerámus

FUTURE PERFECT.

potúero potuérimus

SUBJUNCTIVE—PRESENT.

póssim	possímus
póssis	possítis
póssit	póssini

IRREGULAR VERBS.

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IMPERFECT.

pósssem possémus

PERFECT.

potúerim potuérimus

PLUPERFECT.

potuíssem potuissémus

INFINITIVE.

Pres. pósse

Perf. potuísse

128. Prósum, prodésse, prófui, profutúrus. *to benefit.*

INDICATIVE—PRESENT.

Singular.	Plural.
prósum	prósumus
pródes	pródestis
pródest	prósunt

IMPERFECT.

próderam proderámus

FUTURE.

pródero prodérimus

PERFECT.

prófui profúimus

PLUPERFECT.

profúeram profuerámus

FUTURE PERFECT.

profúero profuérimus

SUBJUNCTIVE—PRESENT.

prósim	prosimus
prósis	prositis
prósit	prósint

IRREGULAR VERBS.

IMPERFECT.

prodésem	prodessémus
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PERFECT.

profúerim	profuérimus
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PLUPERFECT.

profuíssem	profuissémus
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IMPERATIVE—PRESENT.

pródes	prodéste
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FUTURE.

prodésto	prodestóte
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INFINITIVE.

Pres. prodésse
 Perf. profuísse
 Fut. profutúrus ésse

PARTICIPLE.

Fut. profutúrus, -a, -um

129. Vólo, velle, vólui, *to be willing, wish.*

INDICATIVE—PRESENT.

Singular.	Plural.
vólo	volúmus
vis	vúltis
vult	vólunt

IMPERFECT.

volébam	volebámus
---------	-----------

FUTURE.

vólam	volémus
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PERFECT.

vólui	volúimus
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PLUPERFECT.

volúeram voluerámus

FUTURE PERFECT.

volúero voluérimus

SUBJUNCTIVE—PRESENT.

vélím	velímus
vélis	velítis
vélit	velint

IMPERFECT.

véllem vellémus

PERFECT.

volúerim voluérimus

PLUPERFECT.

voluíssem voluissémus

INFINITIVE.

Pres. velle
Perf. voluísse

PARTICIPLES.

Pres. voléns.

130. Éo, íre, ívi (íi), ítúrus, *to go*.

INDICATIVE - PRESENT.

Singular.	Plural.
éo	imus
ís	ítis
ít	óunt

IMPERFECT.

íbam íbámus

FUTURE.

íbo íbimus

IRREGULAR VERBS.

PERFECT.

ivi (il)	ivimus
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PLUPERFECT.

iveram	iverámus
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FUTURE PERFECT.

ivero	ivérimus
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SUBJUNCTIVE—PRESENT.

éam	eámus
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IMPERFECT.

írem	irémus
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PERFECT.

íverim	ivérimus
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PLUPERFECT.

ivíssem	ivissémus
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IMPERATIVE—PRESENT.

í	íte
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FUTURE.

íto	itóte
éto	eúnte

INFINITIVE.

Pres. íre
 Perf. ivísse
 Fut. itúrus ésse

PARTICIPLES.

Pres. íens, eúntis
 Fut. itúrus, -a, -um

GERUND.

Gen. eúndi
Dat. eúndo
Acc. eúndum
Abl. eúndo

SUPINE.

Acc. ítum
Abl. ítu

fio, fieri, fáctus sum (supplies passive to **facio**,
make), *to be made, become.*

INDICATIVE—PRESENT.

Singular.	Plural.
fio	fímus
fis	fítis
fit	fíunt

IMPERFECT.

fíebam fíebámus

FUTURE.

fíam fíémus

PERFECT.

fáctus sum fácti súmús

PLUPERFECT.

fáctus éram fácti erámús

FUTURE PERFECT

fáctus éro fácti érimús

SUBJUNCTIVE—PRESENT.

fíam fíámús

IMPERFECT.

fierem fierémus

PERFECT.

factus sim facti simus

PLUPERFECT.

factus essem facti essémus

IMPERATIVE—PRESENT.

fi fite

INFINITIVE.

Pres. fieri
Perf. factus esse
Fut. factum iri

PARTICIPLES.

Perf. factus
Ger. faciendus

131. féro, férre, túli, látus, *to bear, carry, endure.*

Active Voice.

INDICATIVE—PRESENT.

féro férimus
fers fértis
fert férunt

IMPERFECT.

ferébam ferebámus

FUTURE.

féram ferémus

PERFECT.

túli túlimus

PLUPERFECT.

túleram tulerámus

FUTURE PERFECT.

túlero tulérimus

SUBJUNCTIVE—PRESENT.

téram t'erámus

IMPERFECT.

t'errem t'orrémus

PERFECT

túlerim tulérimus

PLUPERFECT.

alíssem tulissémus

IMPERATIVE—PRESENT.

tér férte

FUTURE.

férto fertóte
férto ferúnte

INFINITIVE.

Pres. férre
Perf. tulisse
Fut. latúrus esse

PARTICIPLES

Pres. férens
Fut. latúrus

GERUND.

Gen. feréndi
Dat. feréndo
Acc. feréndum
Abl. feréndo

SUPINE.

Acc. látum

Abl. látu

Passive Voice.

INDICATIVE MOOD—PRESENT TENSE.

féror

férimur

férris

ferimini

fértur

ferúntur

IMPERFECT.

ferébar

ferebámur

FUTURE.

férar

ferémur

PERFECT.

látus sum

láti súmús

PLUPERFECT.

látus éram

láti erámús

FUTURE PERFECT.

látus éro

láti érimús

SUBJUNCTIVE—PRESENT.

férar

ferámur

IMPERFECT.

férrer

ferrémur

PERFECT.

látus sim

láti símus

PLUPERFECT.

látus éssem

láti essémús

IMPERATIVE—PRESENT.

férre

ferimini

FUTURE.

fértor	_____
fértor	ferúntor

INFINITIVE.

Pres. férri
 Perf. látus éssé
 Fut. látum íri

PARTICIPLES.

Perf. látus
 Ger. feréndus

132. RULES OF SYNTAX.

I. The subject of a Finite Verb is in the Nominative Case.

II. The object of a Transitive Verb is in the Accusative Case.

III. A Predicate Noun after a neuter or passive verb takes the same case as the subject.

IV. Adjectives, Adjective Pronouns, and Participles agree with their nouns in Gender, Number, and Case.

V. A Pronoun agrees with its antecedent in Gender and Number, but its Case depends upon the construction of the clause in which it stands.

VI. A Noun joined to another noun denoting the same person or thing is in the same case by Apposition.

VII. A Noun limiting another noun denoting a different person or thing is in the Genitive.

VIII. The Possessive Genitive denotes the Author, or the Possessor.

IX. The Subjective Genitive denotes the Subject or Agent of the action or feeling.

X. The Objective Genitive denotes the Object toward which the action or feeling is directed.

XI. The Partitive Genitive denotes the Whole of which a part is taken.

XII. A Noun predicated of another noun denoting a different person or thing, is put in the Predicate Genitive.

XIII. The Indirect Object of an action is in the Dative.

XIV. After sum and similar verbs, the Possessor is

expressed by the Dative, the thing possessed being the subject of the verb.

XV. The subject of the Infinitive is in the Accusative.

XVI. Duration of Time and Extent of Space are expressed by the Accusative.

XVII. Source and Cause are denoted by the Ablative with or without a preposition; Accompaniment is denoted by the Ablative, generally with the preposition *cum*; Means and Instrument are denoted by the Ablative alone.

XVIII. Manner is denoted by the Ablative with the preposition *cum*, unless the noun is modified by an adjective or a genitive, in which case the Ablative alone is used.

XIX. That of which anything is deprived, or from which it is removed or separated, is expressed by the Ablative.

XX. The Ablative of Specification is used with Nouns, Adjectives and Verbs, to denote *in what respect* anything is true.

XXI. The Comparative is followed by the Ablative when *quam* (than) is not expressed.

XXII. The Voluntary Agent of a verb in the passive voice is in the Ablative with *a* or *ab*.

XXIII. A noun and a participle, or a noun and an adjective, or two nouns, may be put in the Ablative to denote the time, cause, or other attendant circumstances of an action. This is called the Ablative Absolute. It corresponds with the Nominative Absolute in English.

XXIV. Place where is expressed by the Ablative with *in*.

XXV. After verbs of Motion, Place to which is expressed by the Accusative, Place from which by the

Ablative; names of Towns, without a preposition: other nouns take **ad** or **in** with the Accusative, and **ab**, **de** or **ex** with the Ablative.

XXVI. Verbs of Declaring, Thinking, Believing, Knowing, take after them an Infinitive with a subject Accusative.

XXVII. Clauses denoting Purpose or Result take the Subjunctive after **ut**.

XXVIII. Clauses introduced by **priusquam** take the Subjunctive when they involve an idea of purpose.

XXIX. **Cum** Causal (since), or Concessive (although) takes the Subjunctive; **Cum** Temporal (when) generally takes the Indicative in the Present and Perfect Tenses.

XXX. The Indirect Question has its verb in the Subjunctive.

XXXI. In Indirect Discourse (**Oratio Obliqua**) the verb of the Principal clauses is in the Infinitive, and the verbs of the Subordinate clauses are in the Subjunctive.

XXXII. The Subjunctive is used to express a command, or an exhortation. In this sense it is used chiefly in the first and second persons singular, and the first and third persons plural of the Present Tense.

XXXIII. Clauses introduced by **nisi** express condition, and take the Indicative to represent the supposed case as real; and the Subjunctive to represent it as possible.

XXXIV. The Active Periphrastic Conjugation, formed by combining the Future Active Participle with **sum**, denotes an intended or future action; the Passive Periphrastic Conjugation formed by combining the Gerundive with **sum**, denotes necessity or duty.

XXXV. Deponent Verbs are passive in form and active in meaning.

TABLE OF LEGAL MAXIMS*

ANNOTATED.

1. *Absoluta sententia expositore non indiget*:—2
Inst. 533.

Sentence appropriately denotes the action of a court of criminal jurisdiction in declaring the consequences to a convict of the fact of guilt confessed or ascertained by verdict. The judge in delivering such a sentence is not required by the law to give his reasons therefor. *Commonwealth v. Lockwood*, 109 Mass. 325. See Maxim 186.

2. *Abundans cautela non nocet*: 11 Co. 6.

Caution is applied to the use of apparently superfluous words, and the doing of things seemingly supererogatory from an apprehension that otherwise some right may be yielded or prejudiced, or some power or privilege waived; as where formal, technical and synonymous words are employed in instruments, or where slightly varying averments are made in pleading. 6 Wheat. 108.

3. *Accessorium non ducit sed sequitur suum principale*:—Co. Litt. 152a.

Rent is incident to the reversion, and by a grant of the reversion the rent will pass, though by a grant of the rent the reversion will not pass.

From the application of this maxim it also follows, that (where the principal ceases or is destroyed, the accessory also ceases or is destroyed) as where a less estate being created out of a greater and the greater is destroyed or determined, its destruction or termina-

*For the translation of these maxims see pp. 203-217.

tion carries with it the destruction or termination of the less. *Harding v. Pollock*, 6 Bing. 63. See Maxim 237.

4. *Acta exteriora indicant interiora secreta*:—8 Coke Reports, 291.

The law, in some cases, judges of a man's previous intentions by his subsequent acts; and on this principle it was decided, in a well-known case, that if a man abuse an authority given him *by the law* he becomes a trespasser *ab initio*; but that where he abuses an authority given him by the party he shall not be a trespasser *ab initio*. The *Six Carpenters' Case*, 1 Smith, Leading Cases, 261.

5. *Actiones legis*.

Certain forms necessary to be observed in prosecuting suits under the Roman laws, were composed from the Twelve Tables. The best English equivalent is law suits.

6. *Actio non accrevit infra sex annos*.

The appropriate plea of the Statute of Limitations, where six years is the statutory limit.

7. *Actio non datur non damnificato*:—Jenk. Cent. 69.

The injury here referred to must be such as the law makes actionable, otherwise the party is *non damnificatus*, and the maxim *damnum sine injuria* applies. See Maxims 90, 224 and 243.

8. *Actio personalis moritur cum persona*.

In actions of tort this was formerly a general rule; recently, however, its application has been generally narrowed, but in strictness still it applies to such actions, as, for libel, slander, false imprisonment, or other personal injury. By Lord Campbell's Act, com

pensation may now be recovered by the relatives of a person negligently killed.

The right which a husband has to the choses in action of his wife comes also within this rule as being a personal right of action dying with him, and which, if they be not reduced into possession during coverture, survives to the wife.

9. Actori incumbit onus probandi:—Hob. 103.

The burden of proof resting on a plaintiff is coextensive only with the legal proposition upon which his case rests. It applies to every fact which is essential to or necessarily involved in that proposition; not to facts relied upon in defense to establish an independent proposition, however inconsistent with that upon which the plaintiff's case depends. It is for the defendant to furnish proof of such facts. *Wilder v. Cowles*, 100 Mass. 490. See Maxim 108.

10. Actus legis nemini facit injuriam:—5 Co. 116.

This maxim may be illustrated in an action of debt where the defendant dies before execution, the plaintiff may have a new execution by *elegit* or *fieri facias*; for here there is no default in the plaintiff, he having followed the due and ordinary course of the law.

So where a lease is made to a man and wife during coverture, and the husband sow the land, and afterwards the parties are divorced *a vinculo matrimonii*, the husband shall have the emblements; for the sentence of divorce is the act of law, and *actus legis nemini facit injuriam*. See Maxim 114.

11. Actus non facit reum nisi mens sit rea:—3 Inst. 107.

This maxim has reference chiefly to criminal proceedings, and in such cases it is the rule that the act

and the intent must both concur to constitute a crime; yet the law will sometimes imply the intent from the act under the maxim, *acta exteriora indicant interiorasecreta*, as illustrated in Maxim 4.

So murder furnishes at once an instance illustrative of both maxims under consideration; for though, on the one hand, the act of killing does not of itself constitute the guilt, unless done with a guilty intent, yet in such case a guilty intent will be presumed. *Reg. v. Woodrow*, 15 M. & W. 404. See Maxims 90 and 243.

12. Ad ea quæ frequentius accidunt jura adaptantur:—2 Inst. 137.

The meaning of this maxim is that the laws are to be so framed as that they be made to adapt themselves to those cases which, in the ordinary transactions of the world, most frequently occur, in preference to their being made to adapt themselves to any isolated or individual case. *Robinson v. Cotterell*, 11 Exch. 476.

13. Ad quæstionem facti non respondent iudices; ad quæstionem legis non respondent juratores:—Co. Litt. 295.

Matters of fact are tried by jurors, matters of law by the judges, and the duty of the jurors is to find the truth of the fact, and leave the decision of the law to the judges.

In some cases a jury may be said to exercise also the office of a judge; as, when they are directed as to the law by the judge, but in giving their verdict misapply it, whether from wilfulness or misapprehension.

So judges, by recent legislation, have, in many cases, been given the power to decide matters of fact, as well as of law, without the intervention of a jury; in some cases with, and in others without, the consent of parties. *Bartlett v. Smith*, 11 M. & W. 486.

14. In perpetuam rei memoriam.

This is the name given to a bill in equity brought to secure the testimony of witnesses with reference to some matter which is *not* in litigation but is likely to be, thus differing from a bill to take testimony *de bene esse*, which is sustainable only when there is a suit already pending.

15. *Ædificare in tuo proprio solo non licet quod alteri noceat*:—3 Inst. 201.

A man must enjoy his own property in such a manner as not to invade the legal rights of his neighbor.

So an action will lie, if, by an erection on his own land, a man obstructs the ancient lights and windows of another. The doctrine of ancient lights is not recognized in this country. See Maxims 172 and 355.

16. *Æquitas legem sequitur*:—Branch M. 8.

This maxim, though largely quoted by the earlier chancellors, is true in a very narrow and restricted sense in two meanings. first, equity follows the law in the sense of obeying it and conforming to its general rules and policy; and secondly, in applying legal rules to equitable estates.

Thus, in the interpretation of statutes, and in the construction of wills, and other legal instruments this maxim applies

17. *Æquitas nunquam contravenit legem*.

It is the function of equity rather to supplement the law by affording full relief, as in case of specific performance of a contract, where the law only gives partial relief in damages.

18. *Alienatio rei præfertur juri accrescendi*:—Co Litt. 185a.

This maxim is commonly used in connection with the right of survivorship between joint tenants, which is defeated by a disposition of his share by one of the joint tenants during the life of the other.

From the time of the Norman Conquest many statutes have been passed, beginning with the Magna Charta,

having a tendency to encourage alienation, until the law became what it now is, and as represented by this maxim.

Now, there are statutes preventing the restriction of alienation of real estate, and preventing the accumulation of personal estate; real estate being inalienable for a longer period than for a life or lives in being and twenty-one years afterwards, and the accumulation of personal estate being restricted to a life or lives in being or twenty-one years. *Thellusson v. Woodford*, 11 Ves. jun. 112, 149. *Fowler v. Fowler*, 10 L. T. (N. S.) 682.

19. Allegans contraria non est audiendus:—Jenk. Cent. 16.

A witness will not be allowed to contradict himself, nor a party to contradict his own witness. A landlord distraining shall not be allowed to deny that a tenancy existed; nor shall a tenant dispute his landlord's title, for, in both instances, they are precluded by the doctrine of estoppel.

Trover furnishes a simple instance of the application of this maxim, a verdict in trover being a bar to an action for money had and received brought for the value of the same goods. So a judgment in trespass, in which the right of property is determined, is a bar in an action of trover for the same thing. *Whar. Max. 9.*

20. Allegans suam turpitudinem non est audiendus: 4 Co. Inst. 279.

The meaning is that no one shall be heard in a court of justice to allege his own turpitude or infamy as a foundation of a right or claim; not that a man shall not be heard who testifies to his own turpitude or criminality, however much his testimony may be discredited by his character. *In Re Hallett, Knatchbull v. Hallett*, 13 Ch. Div. 696

21. Allegatio contra factum non est admittenda.

This is a rule of evidence which excludes all untrue statements, but, if the doctrine of estoppel applies, a party will not be allowed to prove even what is true. For estoppel see Maxims 19, 26¹ and 269.

22. Ambiguitas contra stipulatorem est.

Thus, if, in a lease, words of exception be used ambiguously, the same being words of the lessor, they are construed most strongly against him.

23. Ambiguitas verborum patens nulla verificatione excluditur: Bacon, Max. 25.

Ambiguitas patens—patent or open ambiguity—is where the ambiguity is plainly perceptible upon the face of the document under consideration, and is not raised by extrinsic evidence, in which case parol evidence will not be admitted to explain such ambiguity: thus where a testator makes a devise, but omits to insert the name of the devisee; in such case the devise will fail, for, to admit parol evidence to supply this defect, would be to make a devise which the testator himself had not made. See Maxim 73.

24. A mensa et thoro.

This term describes a partial divorce: separation of the parties by law with all rights preserved.

25. Amicus curiæ :—8 Co. 15.

One who for the assistance of the court gives information of some matter of law in regard to which the court is doubtful or mistaken.

The information may extend to any matter of which the court takes judicial cognizance.

- 26.** *Angliæ jura in omni casu libertati dant favorem*:—Halk. Max. 12 (ed. 1823.)

Time was in English history when the laws did not *in every case* favor liberty, but the above maxim has been more perfectly realized since the Magna Charta, Bill of Rights, *Habeas Corpus* and similar measures.

- 27.** *Animo furandi*:—Co. 3d Inst. 107.

In order to constitute larceny, the thief must take the property *animo furandi*; for, when the taking of property is lawful, although it may afterwards be converted *animo furandi* to the taker's use, it is not larceny.

- 28.** *Animo testandi*.

This is required to make a valid will; for whatever form may have been adopted, if there was no *animus testandi*, there can be no will.

An idiot, for example, can make no will, for he can have no intention.

- 29.** *Annus luctus*:—Code, 5, 9, 2.

It was a rule among the Romans and also the Danes and Saxons, that the widow should not marry *infra annum luctus*—within the year of mourning—that is the year following the death of the husband. 1 Bl. Com. 457.

- 30.** *Aqua currit et debet currere, ut currere solebat*.

No one can have any right of property in a running stream, but only a right to use it; and this must be so exercised as not to interfere with other persons possessing similar rights.

A land owner has no better right to stop the flow of a water course, which has its origin on his land than if it arose elsewhere. *Varick v. Smith*, 5 Paige, 137.

31. Arbitrium est judicium:—Jenk. Cent. 137.

By an *award* is generally understood the decision of a board of arbitrators, a valid award being equivalent to a judgment on a verdict.

A party disobeying such an award is punishable as for contempt of court.

The above must be understood as applying to an award made under a submission by rule of court or pursuant to terms of a statute.

32. Arbor dum crescit; lignum cum crescere nescit: 2 Bul. 82.

When the trunk of a tree is severed from the root and felled to the earth, it becomes timber or lumber.

While the timber is standing, it constitutes a part of the realty; severed from the soil its character is changed—it becomes personalty. 21 Wall. 64.

33. Argumentum ab auctoritate fortissimum est in lege:—Co. Litt. 254.

This is an argument, which draws its force from the opinions of persons long held in repute or reverence.

34. Argumentum ab impossibili plurimum valet in lege: Co. Litt. 92. See Maxim 147.**35. Argumentum ad hominem.**

An argument proving a conclusion from the principles and practices of an opponent; often by showing them to be contrary to his argument.

36. Argumentum ad ignorantiam.

An argument based upon the ignorance of one's adversary or hearers, or which bases its claim to validity because of their disability to disprove it.

37. Arma in armatos sumere jura sibiunt:—2 Jus. 574.

This is permitted on the ground of self-defense, which principle was early recognized by the civil law.

38. Assentio mentium.

Assent given by all the parties to an act or contract; the meeting of the minds of the parties to any transaction. Mutual assent, which is the meeting of the minds of both parties to a contract, is vital to the existence of a contract. Moreover, this requisite assent must be the work of the parties themselves, as the law can not supply it.

39. Assignatus utitur jure auctoris :—Hal. Max. 14.

This maxim applies generally to all property, real and personal, and refers to assigns by act of parties, as where the assignment is by deed; and to assigns by operation of law, as in the case of an executor. All rights of the assignor in the thing assigned must pass from him to the assignee by virtue of the assignment, for *duo non possunt in solido unam rem possidere*.—Two persons cannot possess one thing in entirety.

It should be observed, also, that the thing assigned takes with it all the liabilities attached to it in the hands of the assignor at the time of assignment, except in cases for the encouragement of commerce, such as sales in market overt, negotiation of promissory notes, bills of exchange, etc. There are no markets overt in the United States. See Maxims 268 and 314.

40. Audi alteram partem.

No man is to be condemned unheard. This is one of the fundamental principles of the British Constitution.

41. Aula regia.

A court established by the Conqueror to advise the king in matters of great moment. It was composed of the king's great officers resident in his palace, the lord high constable, steward, treasurer, the lord chancellor and others. These were assisted by persons learned in the laws—the king's justices, and by the great barons of Parliament. This court was subdivided into chancery, king's bench, exchequer and common pleas. The last being in a special sense the successor of the *aula regis*.

42. A vinculo matrimonii.

This phrase describes a total divorce: a complete dissolution of the marriage relation with all incidental rights.

43. Benignior sententia in verbis generalibus seu dubiis est preferenda:—4 Rep. 15.

This maxim proceeds upon the principle of carrying into effect, as far and as nearly as possible, the intention of the testator, and if there be a general and also a particular intention apparent on the will, and the particular intention cannot take effect, the words shall be so construed as to give effect to the general intention. This is the *cy pres* doctrine which is carried into efficient operation by courts of equity.

44. Bis dat qui cito dat.

This maxim needs no explanation, and it is recognized by all as being expressive of the highest generosity.

45. Bona fide.

A purchaser *bona fide* is one who actually purchases in good faith. 2 Kent, 512.

The law requires all persons in a transaction to act with good faith; and a contract where one of the par-

ties has not acted *bona fide* is void at the pleasure of the innocent party. 8 Johns. 446.

But if a contract be made with good faith, subsequent fraudulent acts will not vitiate it. 2 Miles, 229.

46. *Boni judicis est ampliare jurisdictionem*:—
Chan. Prec. 329.

The word *jurisdictionem* should be, according to Lord Mansfield, *justitiam*, and the meaning of the maxim in such case is that to be a good judge is to amplify in his office the remedies the law gives, so as, in the most perfect manner, to do the most complete justice, not letting substantial justice be frittered away by nice and unmeaning technicalities, or himself to lay hold of such technicalities as a means of avoiding giving a decision according to the very right, in broad and substantial justice. But this maxim does not mean that a good judge will exceed the limits of his jurisdiction, or that he will do anything other than that which, by the law and practice of his court, he is authorized to do. Whar. Max. 14.

47. *Boni judicis est judicium sine dilatione mandare executioni*:—Co. Litt. 289.

A judgment, being the sentence of law pronounced by the court, upon the matter contained in the record, should, when once rendered, be executed with all possible speed, consonant with the rights of the party against whom it is rendered, and with the practice of the court.

48. *Boni judicis lites dirimere est*:—4 Rep. 15.

This may be done by refusing to entertain suits without merit and by according speedy relief to those who have a standing in court. See Maxims 50, 97 and 170.

49. Bonus. A premium paid to a grantor or vendor.

Extraordinary profit accruing in the operation of a stock company. 10 Ves. Ch. 185.

An additional premium paid for the use of money beyond the legal interest. 2 Parsons, Contr. 391.

50. Bonus judex secundum æquum et bonum judicat et æquitatem stricto juri præfert :—Co. Litt. 24.

This maxim is scarcely more than another way of stating Maxim 48.

"I commend the judge," observes Lord Hobart, "who seems fine and ingenious, so it tend to right and equity ; and I condemn them who, either out of pleasure to show a subtle wit, will destroy, or out of incuriousness or negligence, will not labor to support, the act of the party by the art or act of the law. Hobart, 125.

51. Breve judiciale non cadit pro defectu formæ:—Jenk. Cent. 43.

It is the duty of the judge to look to the *substance* rather than the *form*, and when called upon to pass upon the validity of a writ, to disregard purely formal defects.

52. Cassetur billa (breve).

A judgment sometimes entered against the plaintiff at his request when, in consequence of allegations of the defendant, he can no longer prosecute his suit with effect. It is always the appropriate judgment for the defendant after a successful plea in abatement.

The effect of such a judgment is to stop proceedings, and exonerate the plaintiff from liability for future

CONFIDENTIAL

THE FOLLOWING INFORMATION WAS OBTAINED FROM THE RECORDS OF THE
FEDERAL BUREAU OF INVESTIGATION AT NEW YORK
ON JANUARY 10, 1968.
A SEARCH OF THE FILES OF THE NEW YORK OFFICE REVEALS THAT
ON JANUARY 10, 1968, A TELEPHONE CALL WAS MADE TO THE
NEW YORK OFFICE BY AN INDIVIDUAL WHO IDENTIFIED HIMSELF AS
JOHN J. [REDACTED] AND STATED THAT HE HAD BEEN ADVISED BY
AN INDIVIDUAL WHO OFFERED HIM \$50,000 TO ASSIST IN THE
ACQUISITION OF A CERTAIN TYPE OF EQUIPMENT FOR THE
ARMY OF THE UNITED STATES. [REDACTED] STATED THAT HE
HAD REFUSED THE OFFER AND WANTED TO REPORT THE MATTER TO
THE FBI.

1. The first part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them.

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A purchaser of property must examine and judge for himself as to its title and quality, unless dissuaded by representation. This maxim applies to all descriptions of property.

The fundamental inquiry is whether, under the circumstances of the case, the buyer had the right to rely and necessarily relied upon the judgment of the seller. *Kellogg Bridge Co. v. Hamilton*, 110 U. S. 116. Positive fraud, it may be added, vitiates all contracts and such a contract may be declared void, as indeed it is *ab initio*.

57. Caveat venditor.

This maxim of the civil law expresses a doctrine the reverse of the rule of *caveat emptor* of the common law.

It applies to executory sales, to contracts for goods to be manufactured or produced, or to sales where the buyer has no opportunity to inspect the article purchased.

58. Cepi corpus et est languidum.

The return made by an officer, when a person, who is arrested, is so sick that to remove him would endanger his health or life.

Such a person may be left in charge of a deputy.

59. Cepi corpus et paratum habeo.

The return made by an officer, when a defendant,

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conts, leaving him free to sue out new process. Gould Pl. §139.

53. *Causa fortuitus non est spectandus; et nemo tenetur divinare* :—4 Co. 66.

This is another way of saying *nemo tenetur ad impossibilia*, for to foresee a fortuitous or unlooked for event is impossible, and this the law requires of no one. This maxim, however, would not excuse anyone from liability resulting reasonably from one's act, although such liability was not foreseen by the party himself.

54. *Castalia reputantur inter minima in lege*:—Jenk. Cent. 32.

Under the feudal system unusual privileges were accorded to the owners of real estate, and, besides, it constituted by far the greater part of property, hence charters, which primarily meant *beasts of burden*, were very much regarded by the law. To such an absurd extent was this rule carried, that a free estate was of greater value than a term for a thousand years.

55. *Causa proxima non remota spectatur*:—Eas. Max. reg. 2.

We were to take for the law to consider the cause which was the *proxima* or nearest cause, and not the *remota* or distant cause. There was a distinction made as to the immediate cause, and the remote cause, the former being the *proxima* cause, and the latter the *remota* cause.

The maxim of law, *causa proxima non remota spectatur*, is in accordance with the principle of the law, that the law is not to be concerned with the remote cause, but with the proximate cause.

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ing judgment by default, admits a cause of action to the amount of the bill.

Consent is as much given in standing by without objection as in actual expressed assent.

This rule should be cautiously observed, as in all proceedings, legal or otherwise, where consent or refusal is required, in the advance of positive refusal, consent will be implied; as *qui non improbat, approbat*—he who does not blame, approves. Whar. Max. 19. See Maxims 134, 317.

72. Consuetudo loci observanda est.

Custom, *consuetudo*, is a law not written, but established by long usage concurred in by all. Where a law is established by an implied consent, it is either common law or custom; if it be universal, it is common law; if particular to this or that place, it is custom.

There are several requisites to the validity of a custom; namely, certainty, reasonableness, immemorial existence, uninterrupted continuance, peaceable enjoyment and acquiescence in, compulsory and consistent with other customs, while customs in derogation of the rights of property must be strictly construed.

Where, therefore, a custom, characterized as above, has acquired the force of express law, reference must of course be made thereto in order to determine the rights and liabilities of parties arising out of transactions affected by it; for *optimus interpret rerum usus*—the best interpreter of affairs is usage. See Maxims 295 and 296.

73. Contemporanea expositio est optima et fortissima in lege.—2 Inst. 11.

Where the language of a document, of whatever description, is doubtful, its meaning is best under-

stood by reference to, and consideration of, the circumstances attending its original formation.

All deeds, wills, contracts and statutes are made to effect some particular object, existing and in view of the parties at the time they are made; and the circumstances attending their creation are, therefore, the best guides to their interpretation.

Where the language of the instrument is plain no extrinsic circumstances will be permitted to be adduced, for that would be to make a contract for the parties which, it plainly appeared, they had not made. Whar. Max. 21. See Maxims 23 and 117.

74. Contra bonos mores.

This applies to offenses against good morals, such as indecency and obscenity; and also to a contract against good morals, which will not be enforced by the courts, as an obligation resting upon an immoral consideration. 2 Wils. 447. See Maxim 111.

75. Contractus est quasi actus contra actum:—2 Co. 15.

A contract to be enforceable must contain a consideration as well as an agreement, otherwise it is a *nudum pactum*, or an agreement without a consideration, and as such is not recognized in law.

76. Contra non valentem agere nulla currit præscriptio.

Generally, prescription runs only from the time when the plaintiff might have brought his action, unless then under disability.

In actions brought to recover land, rent or legacies, a certain additional time is allowed after the disability ceases.

In actions having reference only to things strictly personal, the same time is allowed, after the disability ceases, as would have been allowed at the time the cause of action accrued had no such disability then existed.

But where the statute has begun to run no subsequent disability interrupts it.

77. *Conventio privatorum non potest publico juri derogare*:—Wing. 746. See Maxim 78 and 297.

78. *Conventio et modus vincunt legem*:—2 Co. 73.

This maxim is the most elementary principle of the law relative to contracts. The conditions annexed to a grant or devise, the covenants in a conveyance, and the agreements, whether written or verbal, entered into between parties, have, when duly executed and perfected, and subjected to certain restrictions, the force of law over those who are parties to such instruments or agreements. Broom Max. 690. See Maxim 297.

79. *Coram Domino Rege*.

Proceedings in the Court of King's Bench are said to be *coram rege ipso*. 3 Bla. Com. 41.

80. *Corpus delicti*.

The essential element of an offense: the fact that a particular crime has been committed.

The *corpus delicti* in murder has two components: death as the result, and criminal agency of another as the means.

When there is direct proof of the one, the other may be established by circumstantial evidence.

The possession of the fruits of a crime may do away with direct proof of the *corpus delicti*.

81. *Corpus humanum non recipit æstimationem*:—
Hob. 50.

There is no standard by which to estimate an injury inflicted upon the person, and especially is this true when the injury results in death.

82. *Crescente malitia crescere debet et pœna*:—2
Inst. 479. See Maxims 90 and 243.

83. *Crimen omnia ex se nata vitiat*:—5 Hill, 523.

This applies to a contract tainted with fraud. If the intention of the parties to the contract be corrupt in the substance and design, no pretext, however plausible, no contrivance, however specious, no coloring, however artful, can veil the transaction.

84. *Crimen trahit personam*:—People v. Adams, 3
Den. 190 and 210.

Personal presence at the place where the crime is committed is not always essential to make the offender a principal. This occurs where the crime is committed by means of an innocent living agent. The employer though absent is deemed to have been personally present. To assert the contrary is to hold there may be a crime without a criminal.

85. *Cujus est dare, ejus est disponere*: Wing.
Max. 22.

This maxim sets forth the principle on which the old feudal system of feoffment depended—it is the tenor of the feudal grant which regulates its effect and extent.

This rule, however, is subject to qualifications when

applied to modern law. Although it is true, in general, that the law permits every man to part with his own interest, and to qualify his own grant as he pleases, yet it does not permit any allowance or recompense to be made if the thing granted be not taken as it is granted, and, therefore, if one grants a common for ten beasts for three years, and the grantee neglect for two years to use the right thus given, he shall not the third year have common for thirty beasts, for the time is certain and precise.

86. Cujus est solum, ejus est usque ad coelum; et ad inferos :—Co. Litt. 4.

He who owns the land owns all above and all below the surface. Upward no man may erect a building to overhang another's land; and downward, whatever is in a direct line belongs to the owner of the surface.

It is under the same rule, or *ad inferos*, that taking away the natural support of the adjoining soil from a house or other structure is a trespass against the owner of the land and is actionable.

This maxim is, to some extent, connected with the maxim, *sic utere tuo ut alienum non lædas*—so use your own as not to injure what belongs to another; and no person, generally speaking, will be permitted to use his land to the injury of his neighbor. *Redman v. Forman*, 83 Ky. 216. See Maxims 15 and 355.

87. Cum duo inter se pugnancia reperiuntur in testamentis ultimum ratum est :—Co. Litt. 112.

This maxim must be applied with caution, inasmuch as it is subject to the general rule of construction in wills, by which the intention of the testator *must* be the paramount consideration and which intention must be gathered from the whole tenor of the will.

Two apparently contradictory clauses will, if possible, be reconciled so as to carry out the intention of the testator, and so as not to reject either.

But where there are two clauses manifestly repugnant to each other, as two devises of the same thing to different persons, then the maxim holds good, unless a contrary intention can be gathered from the whole instrument. *Morrall v. Sutton*, 1 Phill. 536.

88. Cursus curiæ est lex curiæ :—3 Buls. 53.

This applies to courts of equity as well as of common law ; but the practice of one court does not govern that of any other, nor does the maxim mean that a court may interfere with, to pervert or nullify, positive statutory enactment and the due course of the law.

The court must see to it that the law, according to the practice of the court, is carried into effect, for the law would be of no avail without the means of carrying it into effect, and courts of law would be chaos without rules for their government. *Wallworth v. Holt*, 4 My. & Cr. 635. See Maxim 131 and 377.

89. Custodia legis.

Property lawfully taken by virtue of legal process is in the custody of the law; so with a person under lawful arrest. See Maxim 130.

90. Damnum sine injuria.

Injuria is here to be taken in the sense of *legal injury*; and in the absence of malice there are many cases of wrong or suffering inflicted upon one for which the law gives no remedy; as where a public agent, within the scope of his authority, causes damage, it is simply *damnum sine injuria*; also where an owner, prudently exercising his right of ownership does acts,

which cause loss to another. 10 Metc. 371. See Maxims 7, 224 and 243.

91. Debile fundamentum fallit opus :—3 Co. 231.

This maxim is familiarly illustrated in the case of a will void by reason of its not being duly attested according to statute provisions, or on account of the coverture of the testatrix at the time of making the will. All the dispositions and limitations of property contained therein are also necessarily void, nor can the original defect be cured by lapse of time.

91a. Debita sequuntur personam debitoria.

92. Debitor non præsumitur donare :—Jur. Civ.

This maxim has reference to the law of satisfaction. When a debtor bequeaths to his creditor a sum of money equal to or exceeding the amount of his debt, it is presumed, in the absence of any contrary intention, that such legacy was meant, and was given, by the testator as a satisfaction of the debt.

This presumption does not arise, however, where the debt was not contracted until after the will was made, or where the legacy was contingent, or specific. *Talbot v. Shrewsbury*, 2 White & Tudor, Leading Cases in Equity, 378. See Maxims 263 and 314.

93. Debitum et contractus sunt nullius loci :—7 Co. 61.

This refers to the common law rule respecting *venue*, which had to be laid truly in all actions except those of a transitory nature, such as contract and debt, in which actions it might have been laid in any county where the plaintiff found the defendant.

**94. Debitum in præsentī, solvendum in futuro :—
Leggett v. Bank of Sing Sing, 24 N. Y. 283.**

This describes any class of obligations complete at the present day, though payable in the future.

95. De bonis non administratis.

Occurs where another administrator has died, or been discharged, leaving a part of the estate unsettled. It also occurs where an executor dies without completing administration.

96. Delegata potestas non potest delegari:—2 Inst. 597.

Whenever authority is conferred upon a particular individual, he cannot lawfully devolve the duties of his appointment or the functions of his office upon any other person, unless allowed so to do by express words, by acts equivalent thereto, or by the usage of trade. *Hunt v. Burrell*, 5 Johns (N. Y.), R 137. See *Maxims* 3, 99 and 311.

97. De minimis lex non curat:—Cro. Eliz. 353.

This is shown in the refusal of courts to grant new trials in trifling cases, or where the damages are small, in refusing to try trifling actions, in amending proceedings for defect in form; but, generally speaking, subject to above and kindred qualifications, every legal right may be enforced, and every wrong, however slight, has its remedy. 5 Hill, 170. See *Maxims* 18 and 115

98. De non apparentibus et non existentibus eadem est ratio:—5 Co. 6.

A thing which is not made to appear is regarded as if it could not be made to appear and did not therefore exist.

The record of a court of limited or inferior jurisdiction must show jurisdiction rightfully exercised, but in courts of record of general jurisdiction all things are

presumed to have been rightly done. So the contents of a document in dispute must be proved. 4 Mass. 685. See Maxim 328.

99. *Derivativa potestas non potest esse major primitiva*:—Noy; Wing. 66. See Maxims, 3, 96 and 311.

100. *Deus solus haeredem facere potest, non homo*: Co. Litt. 7.

The word heir in legal understanding signifies him to whom lands, tenements, or hereditaments, by the act of God and right of blood, descend.

Hence no one can be heir who is not *ex justis nuptis procreatus*—begotten of a lawful marriage. See Maxims 141, 142 and 299.

101. *Dies Dominicus non est juridicus*:—Co. Litt 135.

None of the courts of law or equity can sit upon this day; nor is the execution of any civil process, nor the performance of any works, save of necessity or charity, lawful.

But arrests in criminal cases, and all proceedings and acts necessary for the immediate protection and safety of the State, are exceptions, even if not made so by statute. *Wright v. Lewis*, 9 Dowe. 183.

102. *Discretio est discernere per legem quid sit justum*:—10 Co. 140.

“Discretion, when applied to a court of justice, means sound discretion *guided by law*. It must be governed by rule, not by humor; it must not be arbitrary, vague, and fanciful, but legal and regular.” Lord Mansfield, *B. v. Wilkes*, 2 Burr. 25, 39.

103. Domus sua cuique est tutissimum refugium :—
5 Co. 91.

Under this maxim a man's house is a refuge for him as against any civil process, to serve which no officer is, in general, allowed to break open an outside door ; though in criminal proceedings this may be done, as the public safety supersedes private.

A man may defend his house even to the taking of life, if apparently necessary to prevent persons from entering it by force. *Davison v. People*, 90 Ill. 229.

104. Dona clandestina sunt semper suspiciosa :—Noy
Max. 152.

Secret transfers of property are always regarded with distrust. See Maxim 63.

105. Dormiunt leges aliquando, nunquam moriuntur. 2 Inst. 161.

For example, a state of war sometimes suspends the operation of the statute of limitations, but on the cessation of hostilities the statute again begins to run.

**106. Doti lex favet ; præmium pudoris est ; ideo par-
 catur :—Co. Litt. 31.**

So strong is the maxim in its operation, that dower, when it once attaches, can not be defeated except by the consent of the wife, or by divorce *a vinculo*.

**107. Duo non possunt in solido unam rem possidere :
 Co. Litt. 368. See Maxim 39.**

108. El incumbit probatio qui dicit, non qui negat.

The principle is that he who affirms the existence of a given state of facts must prove it ; a rule adopted because the negative does not admit of the direct and simple proof of which the affirmative is capable. See Maxim 9.

- 109.** Error, qui non resistitur approbatur: Doc. and Stud. c. 70.

Thus one who enables another to commit a fraud is answerable. A person who has a title to property offered for sale at an auction, and, knowing his title, stands by and encourages the sale, or does not forbid it, will be bound by the sale. See Maxims 71 and 317.

- 110.** Exceptio probat regulam.

The translation carries with it its own explanation.

- 111.** Ex dolo malo actio non oritur :—Cowp. 343.

This maxim establishes the position that an action cannot be maintained which is founded in fraud, or which springs *ex turpe causa*.

A court of law will not lend its aid to enforce the performance of a contract, which appears to have been entered into by both the contracting parties for the express purpose of carrying into effect that which is prohibited by the law of the land, or which is founded on an immoral consideration. See Maxims 74 and 119.

- 112.** Executio est executio juris secundum judicium: 3 Inst. 212. See Maxim 113.

- 113.** Executio est finis et fructus legis:—Co. Litt. 289. See Maxim 112.

- 114.** Executio legis non habet injuriam:—Co. Litt. 289.

Courts of law should see to it that the process of the court is not made use of for the purpose of oppression and injustice, though, however rigorous the remedy may seem to be, that one is not to be considered unjust who resorts to the courts merely to obtain his legal rights. It is not the use but the abuse of the process of law, which makes an injury, and the misuser of the process

of the law is a question of damages between the parties. Hobart, 260. See Maxim 10.

115. *Ex nihilo nil fit.* See Maxim 97.

116. *Ex nudo pacto actio non oritur*:—2 Sharsw.; Bl. Com. 445.

This refers to a parol or simple contract, whether by word of mouth or writing; but not to a contract under seal, which does not require a consideration.

This consideration, however, need not be money or goods, but it may proceed from nature, as a contract by a father with another that if the latter will take the former's daughter to wife he will give him \$1,000. Here the money may be recovered by an action. See Maxim 119.

117. *Ex præcedentibus et consequentibus optima fit interpretatio.* See Maxims 23 and 73.

118. *Extra legem positus est civiliter mortuus*:—Co. Litt. 130.

One *civiliter mortuus* is dead only in contemplation of law.

Formerly if a man was banished or abjured by the realm he was civilly dead.

A bankrupt is so regarded with us. *International Bank v. Sherman*, 101 U. S. 406. See Maxim 160.

119. *Ex turpi causa non oritur actio*:—Broom, Max. 730. See Maxims 74 and 111.

120. *Facultas probationum non est angustanda*:—4 Inst. 279.

The law permits a man to introduce all the evidence at his command that is not excluded because of irrelevancy, immateriality, etc. See Maxim 274.

121. *Falsa demonstratio non nocet*:—6 T. R. 766.

An instrument, open to construction for an incorrect or false description of a person or thing, will be so construed as to carry into effect the intention of the parties, so far as can be done without interfering with the positive and plain meaning of the document, apart from the incorrect or false description.

If there be a positive devise of Knowle Field, in the parish of A. to B., to which the testator adds some further description inconsistent with that already given, such superadded description will be rejected under this maxim, and not allowed to vitiate the already perfect devise. *Miller v. Travers*, 8 Bing. 244. See Maxims 239, 249, 280 and 312.

122. Fatetur facinus qui judicium fugit :—3 Inst. 14

Flight gives rise to a strong presumption of guilt which is not easily rebutted.

123. Felix qui potuit rerum cognoscere causas.

No one, of course, can ascertain the motive or the cause of all things but God, "who looks not at the deed alone but pries into the heart with subtle skill." See Maxim 226.

124. Felonia implicatur in qualibet prodicione :—3 Inst. 15.

This is on the principle that *majus continet minus*—the greater contains the less, and, since treason is the most heinous crime known to the law, it carries with it felony.

125. Festinatio justitiæ est noverca infortunii :—Hob 97.

Even justice miscarries when there is undue haste.

126. *Fictio cedit veritati; fictio juris non est, ubi veritas* :—11 Co. 51.

This maxim finds illustration in the fiction which holds that the members of a corporation are citizens of the State in which it was incorporated, in order, where a corporation is a party, to give the Federal Courts jurisdiction on the ground of diverse citizenship. If the members *are* actually citizens of the State of incorporation, then the fiction yields to truth as expressed in the maxim under consideration.

127. *Fides servanda est.*

A maxim with regard to the sales of personalty. If there is no express warranty, general rules of implication should be adopted with this maxim in view. A warranty will be implied only when good faith requires it. *McCoy v. Artcher*, 3 Barb. 330.

128. *Fieri facias* (abbreviated *fi. fa.*)

The important words in a writ of execution—that you cause to be made out of the goods, or lands, or both, the amount of the claim.

129. *Filiatio non potest probari* :—Co. Litt. 126.

When the mother is or has been married, her husband is presumed to be the father of the children born during the coverture, or within a competent time afterwards, whether they were conceived during the coverture or not : *pater est quem nuptiae demonstrant*.

The rule is founded upon the double presumption of cohabitation before the birth of the child, and that the mother has faithfully observed the vow she made to her husband. See Maxims 350 and 351.

130. *Firmior et potentior est operatio legis quam dispositio hominis* :—Co. Litt. 102.

Thus an agreement entered into between two persons cannot, in general, affect the rights of a third party; so if it be agreed between A. and B. that B. shall discharge a debt due from A. to C., such an agreement cannot prevent C. from suing A. for its recovery. See Maxim 89.

131. *Forma legalis forma essentialis est* :—10 Co. 100. See Maxim 88.

132. *Fortior est custodia legis quam hominis* :—2 Rol. Rep. 325. See Maxim 130.

133. *Fractionem diei non recipit lex.*

When an act has to be done on a certain day, the whole of that day is allowed in which to do it. This rule has, however, its exceptions, for in case of documents registered or recorded on the same day, priority may be shown by the numbers, and this becomes at times of the utmost importance.

134. *Fraus est celare fraudem* :—1 Ver. Rep. 240.

This illustrates the doctrine of constructive frauds. Where a man designedly produces a false impression on another, and the latter subsequently commits some act, or enters into some contract, injurious to himself and his own interests, the former is guilty of fraud. See Maxim 71, 317.

135. *Fraus est odiosa et non præsumenda* :—Cro. Car. 550.

This maxim refers rather to actual than constructive frauds. An actual fraud carries with it a fraudulent intent and must be proved by the party setting it up. Constructive frauds arise from construction of law, where there is a confidential relationship such as

guardian and ward, or parent and child, and must be disproved by the party sustaining such relationship.

136. *Fraus et jus nunquam cohabitant* :—Wing. 680.

Because fraud and justice are mutually exclusive. See Maxim 197.

137. *Frustra probatur quod probatum non relevat* : Halk. Max. 50.

This is a maxim of evidence and applies to irrelevant testimony, which should be excluded, but which, when admitted, is proven in vain, unless it be to confuse the minds of the jurors.

138. *Furor contrahi matrimonium non sinit, quia consensus opus est* :—Wrightman v. Wrightman, 4 Johns. Ch. 343, 345. See Maxim 70.

139. *Generalis regula generaliter est intelligenda* : 6 Co. 65. See Maxim 179.

140. *Habeas corpus*.

This is the most famous writ in the law, and, by reason of its employment to remove illegal restraint upon personal liberty, it is often called the great writ of liberty.

It commands the person, who has another in detention, to produce the body of the prisoner, with the day and cause of his caption and detention, to do, submit to, and receive whatever the judge or court awarding the writ shall consider in that behalf.

141. *Hæres est nomen juris, filius est nomen naturæ* :—Bae. Max. Reg. 11.

A bastard or one born out of wedlock, or not within

a competent time after its determination, is a *filius*, but cannot be an heir. See Maxims 100 and 142.

142. *Hæres legitimus est quem nuptiæ demonstrant*:—Co. Litt. 7.

This rule is peculiarly applicable to the common law of England, by which no one can inherit any land, who was not born after the lawful marriage, according to the common law, of the parents; and differs from the civil and canon law, which legitimizes the children born out of wedlock by the after marriage of their parents.

Under this rule a deformed person, an idiot and a lunatic might be heirs, but not so with a monster, not having human shape. See Maxim 100, 141 and 299.

143. *Idem nihil dicere et insufficienter dicere est*:
2 Inst. 178.

It is as much a fraud to speak insufficiently as to say nothing, where the law calls upon one to speak. See Maxim 134.

144. *Id quod commune est, nostrum esse dicitur*:—
Lawrence v. Sebor, 2 Cai. 203, 207.

This maxim covers the contract of marine insurance by one partner, without a specification of the interest he means to cover. in which case Valin considers the insurance should extend to the whole cargo. More familiarly, light and air being common are said to be ours.

145. *Ignorantia facti excusat, ignorantia juris non excusat*:—1 Co. 177.

According to this maxim, it is presumed that every one knows the law, though he is not presumed to know every fact.

This presumption of knowledge of the law admits of exceptions in doubtful cases. An infant of the age of discretion is punishable for crimes, though ignorant of the law; but those under such age are excused. So also persons not of sane mind are excused.

This maxim does not appear to apply to judges whose ignorance of the law may be palpable, yet whose judicial discretion and prerogatives hedge them about with a sort of divinity. See Maxim 231.

146. Imperium in imperio.

This phrase—a sovereignty within a sovereignty—is often used in speaking of the dual character of the government of the United States, namely, State and Federal.

147. Impotentia excusat legem :—Co. Litt. 29.

Impotency excuses the law where the impotency is a necessary and invincible disability to perform the mandatory part of the law or to forbear the prohibitory. This rule, however, does not apply to contracts between parties; for what a man does voluntarily, he will be bound thereby.

And where involuntary ignorance is the cause of the act, it is said to be done *ex ignorantia*; as, if an insane man kill another, for he has no understanding. See Maxim 34.

148. Impunitas semper ad deteriora invitat :—5 Co. 109.

It is not the severity of the law but rather the certainty of its execution that prevents crimes and misdemeanors.

A failure to execute or a laxity in execution encourages rather than deters the criminal classes. See Maxim 252.

149. In æquali jure melior est conditio possidentis :
Plow. 293.

It is a rule of law that a plaintiff shall recover upon the strength of his own title, and not upon the weakness of his adversary's; possession, as a *prima facie* right in the defendant, being sufficient to call for proof of an absolute right in the plaintiff. This maxim applies alike to equity and law, and embraces the cases of fraudulent and illegal agreements, conveyances and transfers of property, and as well where the parties are in *pari delicto* as in *æquali jure*.

It finds illustration in an action of negligence, where the plaintiff has contributed to the injury complained of, in which case he cannot, as a rule, recover. See Maxims 163 and 248.

150. In alta proditione nullus potest esse accessorius; sed principalis solummodo:—3 Inst. 138.

The crime of treason, at common law, was counted so heinous that all who participated in it were considered principals. Our Constitution provides that to prove this offense there must be two witnesses to the same overt act, and nothing short of this overt act amounts to treason. A mere conspiracy to subvert the established government is not treason. There must be an actual levying of war. Then all, who perform any act, however minute or remote from the scene of action, if leagued in the general conspiracy, are traitors. 4 Crauch. 75, 126.

151. In Anglia non est interregnum:—Jenk. Cent. 205.

This is a maxim of the English Constitution, which holds that immediately upon the decease of the reigning prince in his natural capacity, the office, with all

of its prerogatives, without any *interregnum* or interval vests at once in his successor, who is, *eo instante*, king to all intents and purposes. See Maxim 344.

152. In casu extremæ necessitatis omnia sunt communia :—1 Hale. P. C. 54.

There are many cases in which individuals sustain an injury for which the law gives no action ; as, where private houses are pulled down for the preservation of the country from an enemy or to arrest the progress of a fire. So where a public highway becomes impassable, it is for the general good that the public be allowed to pass over adjacent lands. See Maxims 217, 261 and 346.

153. In criminalibus probationes debent esse luce clariores :—3 Inst. 210.

The nearest modern equivalent of this civil law maxim is to be found in that principle of evidence, in criminal cases, which requires the guilt of the accused to be proven beyond all reasonable doubt.

154. In curia domini regis, ipse in propria persona jura discernit.

After the dissolution of *Aula Regis*, the English kings frequently sat in the court of King's Bench and in later times, James the First, is said to have sat there until informed by the judge that he could not deliver an opinion.

155. In fictione legis æquitas existit :—11 Co. 51.

In fiction of law, *rex non potest peccare* and *rex nunquam moritur*. So a man in possession of property is considered to be rightly in possession until the contrary is shown ; and a man is considered innocent of a crime until found guilty. So the doctrine that money

to be laid out in land is to be treated as land, though long established in courts of equity, is in truth a mere fiction.

156. In foro conscientia.

The term is applied to moral obligations as distinct from the obligations which the law enforces.

Thus it finds illustration in the sale of property where the vendee conceals facts which would enhance the price, there being no *legal* obligation on the part of the vendee to disclose them.

157. In futuro: At a future time.

158. In jure non remota causa sed proxima spectatur: Bac. Max. reg. 1. See Maxim 55.

159. Injuria non excusat injuriam: Broom Max. 270.

It is not true that misconduct must necessarily exclude the plaintiff who is guilty of it from the right to sue, and a trespasser, although liable to an action for the injury which he does, does not necessarily forfeit his right of action for an injury which he has sustained. See Maxims 285 and 288.

160. In mortua manu.

Property owned by religious societies was said to be held *in mortua manu*, or in mortmain, since religious men were *civiliter mortui*.

The words now designate all prohibitory laws which limit, restrain or annul gifts, grants or devises of lands or other corporeal hereditaments to charitable uses. See Maxim 118.

161. In omni re nascitur res quæ ipsam rem exterminat:—2 Inst. 15.

This maxim is not exclusively a legal one and may be

translated—In every thing is born that which destroys the thing itself. This is true, of course, unless the destructive agency, as the worm in the wood, is removed.

162. In novo casu novum remedium apponendum est:—2 Inst. 3. See Maxims 212 and 368.

163. In pari delicto potior est conditio possidentis:—4 T. R. 564. See Maxims 149 and 248.

164. In personam.

A remedy where the proceedings are against the person in contradistinction to those which are against specific things, or *in rem*.

165. In quo quis delinquit in eo de jure est puniendus:—Co. Litt. 233.

This maxim, while providing for a punishment for every offense, yet asserts that this punishment should be according to law, having no justification, it would seem, for those who take the law in their own hands.

166. In re dubia magis inficiatio quam affirmatio intelligenda:—Godb. 37.

This is because the burden of proof is upon him who affirms rather than upon him who denies—a negative being more difficult of proof than an affirmative. See Maxims 9 and 108.

167. In republica maxime conservanda sunt jura belli:—2 Inst. 58.

In accordance with the principle of this maxim the civil courts have uniformly declined to interfere with acts affecting military rank, offenses against articles of war, or military discipline. Nor can the acts of military officers or tribunals, within the scope of their jurisdiction, be revised, set aside or punished civilly or criminally by the civil courts. 8 Allen, 484.

- 168.** *Intentio inservire debet legibus, non leges intentioni:—Co. Litt. 314. See Maxim 177.*

- 169.** *Inter arma leges silent.*

The law of military necessity supersedes all civil law, and in time of war administration of the municipal law may be suspended.

- 170.** *Interest reipublicæ res judicatas non rescindi: 2 Inst. 359.*

Because if parties, having had a judgment—*res judicata*—rendered against them, were not concluded to begin a new action, there would be no security in a judgment and no end to litigation.

For full meaning of *res judicata*, see Maxim 339.

- 171.** *Interest reipublicæ suprema hominum testamentata haberi:—Co. Litt. 236. See Maxims 177, 364 and 371.*

- 172.** *Interest reipublicæ ut quilibet re sua bene utatur:—6 Co. 37. See Maxims 15 and 355.*

- 173.** *Interest reipublicæ ut sit finis litium:—Co. Litt. 303.*

Within the meaning of this maxim are the statutes of limitations of actions; for example, an action to recover land must be brought within twenty years after the right of action accrues.

This maxim holds good also in equity, for equity courts will as nearly as can be, be guided in their decisions by the statutes limiting actions at law, though they will not apply them to cases of breach of trust. See Maxims 170 and 339.

- 174.** *Interpretare et concordare leges legibus est optimus interpretandi modus:—8 Co. 169. See Maxims 175 and 375.*

175. *Interpretatio fienda est ut res magis valeat quam pereat:—Broom Max. 543.*

Thus deeds shall be so construed as to operate according to the intention of the parties, if by law they may; and if they cannot in one form, they shall operate in that which by law will give effect to the intention. For instance, a deed intended for a release, if it cannot operate as such, may amount to a grant of the reversion, an attornment, or a surrender. See Maxim 375.

176. *Interruptio multiplex non tollit præscriptionem semel obtentam:—2 Inst. 654.*

Prescription, according to Coke, is a title by authority of law, deriving its force from use and time. When once acquired it cannot be taken away by subsequent interruption in its enjoyment.

177. *In testamentis plenius testatoris intentionem scrutamur:—3 Buls. 103.*

That is to say, a will shall receive a more liberal construction than its strict meaning, if alone considered, would permit, the paramount principle in construing wills being the intention of the testator, to which everything is made subservient. This intention, it is important to remember, should be agreeable to the rules of law and collected out of the words of the will. See Maxims 171, 364 and 371.

178. *In traditionibus scriptorum non quod dictum est, sed quod gestum est, inspicitur:—9 Co. 137.*

A document under seal may be delivered to a third person, to be delivered by him to the grantee, when the latter has performed certain specified conditions.

Such documents are known as escrows and do not acquire the force of a deed until the conditions precedent have been fulfilled and delivery thereupon made to the grantee. The gist of the above maxim is that no words, however binding, will take the place of delivery which may be absolute or conditional. See Maxim 365.

179. *In verbis, non verba sed res et ratio quærenda est*:—Jenk. Cent. 132. See Maxim 139.

180. *Invito beneficium non datur*:—Broom Max. 699.

No one can be compelled to accept a gift against his will.

According to this principle, if a man, being a tenant for life, has a power to lease for twenty-one years for his own benefit, he may renounce a part of the right so given and grant a lease for any number of years short of twenty-one.

So a legatee may refuse a gift, an executor may renounce probate, and a trustee may disclaim his office.

181. *Ira furor brevis est*:—Beardsley v. Maynard, 4 Wend. 336, 355.

A just provocation is sometimes allowed to palliate an offence, which is done under immediate excitement, where no time for reflection has been afforded. But when ample time has been given for passion to subside and for reason to operate, this maxim no longer affords protection.

182. *Judex est lex loquens*:—7 Co. 4.

This is but another way of saying that the function of the judge is to declare what the law is—*jus dicere*. See Maxim 214.

- 183.** *Judex non potest esse testis in propria causa:*
4 Inst. 279.

A judge is not a competent witness in a cause being tried before him, because he cannot decide upon the admissibility of his own testimony, nor can he weigh it impartially against that of another. See Maxims 184, 267 and 287.

- 184.** *Judex non potest injuriam sibi datam punire*
12 Co. 113. See Maxims 183 and 267.

- 185.** *Judex non reddit plus quam quod petens ipse requirit:—*2 Inst. 286.

This maxim finds illustration in a suit in equity where the plaintiff has incorporated in his bill a prayer for special relief only, in such a case the judge will not grant him any relief not asked for in this special prayer, although a general prayer for relief would have entitled him to further remedy than that set forth in the special prayer.

- 186.** *Judices non tenentur exprimere causam sententiæ suæ:—*Jenk. Cent. 75. See Maxim 1.

- 187.** *Judiciis posterioribus fides est adhibenda:—*
13 Co. 14.

This maxim should be considered in connection with *stare decisis* and *res judicata*, for which see Maxims 339 and 357.

- 188.** *Judicis est judicare secundum allegata et probata:—*Dyer, 12, H. 73. See Maxim 182.

- 189.** *Judicium non debet esse illusorium, suum effectum habere debet:—*2 Inst. 311.

A judgment, being the conclusion of law, given by

a court upon the facts found, or admitted by the parties, or upon default, should settle unequivocally the matters it purports to conclude.

190. *Juramentum est indivisibile et non est admit-
tendum in parte verum et in parte falsum :*
4 Inst. 274. See Maxims 193 and 283.

191. *Jura naturæ sunt immutabilia .*

This is a principle of physics rather than of law, though *lex spectat naturæ ordinem*—the law regards the order of nature. See Maxim 230.

192. *Jura publica anteferenda privatis juribus :—*
Co. Litt. 130. See Maxims 152 and 346.

193. *Jurare est Deum in testem vocare, et est actus
divini cultus :—*3 Inst. 165.

Blackstone says belief in a future state of rewards and punishments, entertaining just ideas of the moral attributes of the Supreme Being, and a firm persuasion that He superintends and will finally compensate every action in human life—these are the foundation of all judicial oaths, which call God to witness the truth of those facts which, perhaps, may be known only to Him and the party attesting.

194. *Jus accrescendi præfertur oneribus :—*Co. Litt.
185.

This has reference to, and forms one of, the principal rules affecting joint tenancies, dower and curtesy which may be regarded as *onera*, not applying to joint estates.

This kind of tenancy is now generally abolished and preference given to tenancy in common, unless otherwise directed in devises or deeds.

195. Jus ad rem ; jus in re.

Jus ad rem is a right which belongs to a person only mediately and relatively, and has for its foundation an obligation incurred by a particular person ; such as the loan of a horse, a claim for a thousand dollars, for, my right to the horse or the money only exists relatively, and can only be exercised through another. But if I have the ownership of a horse or the right of way over land, this constitutes *jus in re*, for this is a right which belongs absolutely and immediately to me and is good against all the world.

It is obvious from the last example given that possession is not one of the elements constituting *jus in re*, although possession is generally one of the incidents of this right.

196. Jus dicere, non jus dare.

The duty of a judge is to administer or apply the law—*jus dicere* ; not to make the law—*jus dare*, for this duly devolves upon the legislature who are the sole judges of the *expediency* of a law.

197. Jus est norma recti ; et quicquid est contra normam recti est injuria :—3 Buls. 313. See Maxim 136.**198. Jusjurandum inter alios factum nec nocere nec prodesse debet :—4 Inst. 279. See Maxim 338.****199. Jus naturale est quod apud omnes homines eandem habet potentiam :—7 Co. 12. See Maxim 205.****200. Jus scriptum aut non scriptum.**

Jus scriptum refers to written or statute law, and *jus*

non scriptum is the law of custom and the common law.

201. *Justitia est duplex ; severe puniens et vere præveniens*:—3 Inst.

At least it should be the function of justice to punish an offender with a severity commensurate with the gravity of offense, and to use due lenity in prohibiting offenses from being committed.

202. *Justitia firmatur solium*:—3 Inst. 140.

This maxim is applicable to monarchies and republics alike, both of which are strengthened and established by justice.

203. *Justitia nemini neganda est*:—Jenk. Cent. 178.

This maxim is self explanatory, for that which is accorded to some and denied to others is not justice. See Maxims 221 and 223.

204. *Leges posteriores priores contrarias abrogant*: 1 Co. 25.

The power by which laws are made must be supreme, and, if supreme, there can be no limit to its authority. Subsequent laws, therefore, repeal prior law inconsistent therewith, and that whether they be made by a legislative body composed of the same or different persons. Blackstone says that where the common and statute law differ the common law gives place to the statute; and an old statute gives place to a new one.

205. *Legibus sumptis desinentibus legibus naturæ utendum est*:—2 Rol. Rep. 98.

For example, the laws imposed by the State fail whenever the citizen, to protect himself or his property

is compelled to resort to the law of self defense, which is justly termed the first law of nature. See Maxim 199.

206. *Lex aliquando sequitur aequitatem*:—3 Wils. 119.

The law does not follow equity always because equity supplements the law, giving either relief where the law does not or more perfect relief than the latter.

207. *Lex Angliæ est lex misericordiæ*:—2 Inst. 315.
This maxim speaks for itself—*res ipsa loquitur*.

208. *Lex Angliæ est lex terræ est*. See Maxim 209.

209. *Lex Angliæ nunquam sine Parlamento mutari potest*:—2 Inst. 218.

This is because Parliament is the supreme legislature of Great Britain, consisting of the queen, king, the lords spiritual and temporal, and the commons. See Maxim 208.

210. *Lex citius tolerare vult privatum damnum quam publicum malum*:—Co. Litt. 132. See Maxims 152 and 346.

211. *Lex Cornelia de sicariis*.

This refers to a Roman statute bearing the name of Cornelius, enacted for the punishment of assassins.

212. *Lex dabit remedium*. See Maxims 162 and 368.

213. *Lex dilationes abhorret*:—2 Inst. 240.

This is strikingly illustrated by the judgment *quod recuperet*—that the plaintiff recover—given to the lat-

ter on a dilatory plea filed by the defendant, and upon which plea issue in fact is joined resulting in verdict for the plaintiff.

214. Lex est iudicum tutissimus ductor:—2 Inst. 526.

Because a judge is a public officer whose function is to declare the law, to administer justice in a court of law, and to conduct the trial of causes between litigants according to legal forms and methods. See Maxim 182.

215. Lex est sanctio sancta iubens honesta et prohibens contraria:—2 Inst. 587.

This definition of law—commanding what is right and prohibiting the contrary—is misleading, for laws enjoin and prohibit things for reasons of expediency only, the question of right and wrong not, in many instances, being at all applicable.

216. Lex intendit vicinum vicini facta scire:—Co. Litt. 78.

This refers to the old custom of summoning the jury from the locality where the cause of action arose, for formerly the jurors consisted of witnesses, or persons in some measure cognizant of their own knowledge of the matter in dispute.

217. Lex necessitatis est lex temporis i. e., instantis:—Hob. 159.

The law of necessity referred to here is not limited to labor for the preservation of life, health, or property from impending danger, for the necessity may grow out of, or be incident to, the general course of trade or even an exigency of a particular trade or business.

Necessity carries with it the idea of prompt action without which any action would often be fruitless. See Maxims 152 and 346.

218. *Lex neminem cogit ad vana seu impossibilia:*
5 Co. 21.

When the condition of an obligation is possible at the time of its making, but, before it can be performed, becomes impossible by act of God, the law, or the obligee, the obligation is saved. But this rule does not apply where a thing is impossible on account of the defendant's personal inability to perform a contract. See Maxims 147, 217 and 219.

219. *Lex nil frustra facit;* 3 Bulstr. 279; Jenk. Cent. 17.

That is the law will not compel one to do an act which would be vain. See Maxims 147, 217 and 218.

220. *Lex non a rege est violanda:*—Jenk. Cent. 7.
See Maxim 343.

221. *Lex non deficere potest in justitia exhibenda:*
Co. Litt. 197. See Maxims 203 and 223.

222. *Lex non favet delicatorem votis:*—9 Co. 58.

An action does not lie because of a trifling inconvenience, which would only be regarded as such by the dainty.

223. *Lex non novit patrem, nec matrem; solam veritatem.* See Maxims 203 and 221.

224. *Lex non oritur ex injuria.*

A mere injury when accidental or justifiable will not furnish a basis for invoking the law to the aid of the injured party. See Maxim 90.

225. *Lex non requirit verificari quod apparet curiæ:—9 Co. 54.*

This maxim refers to the knowledge which a judge will officially take of a fact without proof, such as the general customs and usages of merchants, the seals of notaries, the coincidence of the days of the week with those of the month, and many other things.

The Courts of the United States take judicial notice of the public statutes of the several States. See Maxim 287.

226. *Lex plus laudatur quando ratione probatur. Brown Max. 169.*

In other words, the law is most worthy of approval when it is consistent with reason, and, as Lord Coke says, "The law is unknown to him that knoweth not the reason thereof, and the known certainty of the law is the safety of us all." See Maxims 62, 334 and 367.

227. *Lex prospicit non respicit:—Jenk. Cent. 284.*

This maxim refers to *ex post facto* laws, which impose a punishment for an act not punishable at the time it was committed; or impose additional punishment to that then prescribed; or change the rules of evidence by which less or different testimony is sufficient to convict than was then required.

228. *Lex punit mendaciam:—Jenk. Cent. 15. See: Maxim 250.*

229. *Lex rejicit superflua, pugnancia, incongrua:—Jenk. Cent. 133, 140.*

This is a rule applied to the interpretation of instruments, which holds what is superfluous is to be disregarded, and also what is contradictory or incongruous. See Maxim 175.

230. *Lex spectat naturæ ordinem* :—Co. Litt. 197.

The law respects the order and course of nature, and will not permit a man to demand that which he cannot recover.

Thus, where the thing sued for by tenants in common is in its nature entire, as in detinue for a chattel, they must of necessity join in the action. See Maxims 147 and 226.

231. *Lex succurrit ignorantibus* :—Jenk. Cent. 15. See Maxim 145.

232. *Lex tutissima cassis, sub clypeo legis nemo decipitur.* See Maxims 219, 221, 226, 230 and 231.

233. *Lex uno ore omnes alloquitur* :—2 Inst. 184. See Maxims 203, 221 and 223.

234. *Longa possessio est pacis jus* :—Co. Litt. 6. See Maxim 235.

235. *Longa possessio parit jus possidendi et tollit actionem vero domino* :—Co. Litt. 110.

This refers to the doctrine of adverse possession and the weight of authority is that, where one has had the peaceable, undisturbed, open possession of real or personal property, with an assertion of his ownership, for the period which, under the law, would bar an action for its recovery by the real owner, the former has acquired a good title—a title superior to that of the latter, whose neglect to avail himself of his legal rights has lost him his title. *Campbell v. Holt*, 115 U. S. 623. See Maxim 234.

236. *Magister rerum usus ; magistra rerum experientia.*—Co. Litt. 60. 229. See Maxim 259.

237. Major continet in se minus:—19 Vin. Abr. 379.

If a man tenders more money than he owes, it is a good tender, under this rule, if the money be in specie, so that the creditor can take what is due him.

So the owner of the fee simple in land can grant out any less estate. So a term of years becomes merged in the freehold by the lessee becoming entitled to the fee. A simple contract debt is less worthy than a specialty debt, and a specialty debt is less worthy than a judgment, into which it will merge upon judgment recovered in respect of it.

So the accessory follows its principal, but the accessory cannot lead, nor can it exist without the principal; it is contained within it. A release of the principal is a release of the accessory. See Maxim 3.

238. Majus est delictum se ipsum occidere quam alium:—3 Inst. 54.

At common law, suicide was ranked among the highest of crimes and the punishment was forfeiture of goods to the State, and ignominious burial, which punishment could only be avoided by establishing the insanity of the party. But where the rights and interests of other parties are involved the question of insanity is more closely scrutinized; and ample proof is required of the party upon whom the burden of proof lies. In America suicide, avoiding a life insurance policy, does not extend to acts not under the control of the will, as when an insane person kills himself. 54 Me. 224.

239. Mala grammatica non vitiat chartam:—6 Co. 39. See Maxims 121, 249 and 280.**240. Mala fide.**

Bad faith consists of guilty knowledge or wilful ignorance. The holder of a negotiable note taken

from the payee, with knowledge of the want of consideration between the latter and the maker is said to take *mala fide* and therefore can not recover.

241. Mala prohibita.

Crimes and misdemeanors, such as murder, theft, and perjury, are *mala in se*, and take on an additional turpitude from being declared unlawful by a human legislature; but by far the greater part are *mala prohibita*, and these derive their guilt merely from prohibition by the laws of the land, such as violations of municipal regulations conducing to the health of the community. See Maxim 244.

242. Malitia supplet ætatem:—Dyer, 104 b.

A wicked design supplies the want of years. This maxim does not apply, however, to an infant under seven, who is incapable of crime—*incapax doli*, but between seven and fourteen an infant is *prima facie* incapable of criminal intention, though evidence of mischievous discretion will rebut this presumption.

243. Malo animo.

Any act, to constitute a crime, must be done *malo animo*, but this malice may be expressed or implied. Moreover, malice is not limited to acts done from hatred, revenge or passion, but includes all acts wantonly or wilfully done, that is, acts which any man of reason, knowledge, and ability must know to be contrary to his duty. See Maxim 90.

244. Mala in se. See Maxim 241.

245. Mandamus.

This is the emphatic word in the Latin form of the writ of that name, and is defined by Blackstone to be

a command issuing in the king's name, directed to any person, corporation or inferior court of judicature within the king's dominions, requiring them to do some particular thing therein specified which appertains to their office and duty, and which the court has previously determined or at least supposes to be consonant to right and justice.

It is not designed, however, to review the acts of officers and others when discretion may be exercised, or where action depends upon facts to be determined by them.

246. *Maximus magister erroris populus est:—Bac. Max. See Maxim 66.*

247. *Meliorem conditionem suam facere potest minor deteriorem nequaquam:—Co. Litt. 337 b.*

The seeming disabilities under which an infant labors are really privileges, to secure him from loss by improvident acts. He may, if imposed upon, deny or avoid any contract, not for necessities, after he comes of age. The courts of chancery will see to it, generally, that his condition is not made worse by his own acts of improvidence.

248. *Melior est conditio possidentis, ubi neuter jus habet:—Jenk. Cent. 118. See Maxims 149 and 163.*

249. *Mens testatoris in testamentis spectanda est. Jenk. Cent. 227. See Maxims 121, 239 and 280.*

250. *Mentiri est contra mentem ire:—3 Buls. 260. See Maxim 228.*

251. Merito beneficium legis amittit, qui legem ipsam subvertere intendit:—2 Inst. 253.

This maxim finds application in cases of fraud where the party committing it seeks a benefit thereby in the courts.

252. Minatur innocentibus qui parcit nocentibus: 4 Co. 45. See Maxim 148.

253. Minor jurare non potest:—Co. Litt. 172 b.

According to Littleton this maxim has reference to the swearing of a jury, an infant not being allowed to sit as a juror.

254. Misera est servitus, ubi jus est vagum aut incertum:—4 Inst. 245.

Obedience to law becomes a hardship when that law is unsettled or doubtful.

This maxim applies with peculiar force to questions respecting real property; as, for instance, to family settlements, by which provision may be made for those yet unborn.

So also, where the question does not affect existing rights or property but tends to influence future transactions, in which case it is generally more important that the rule of law should be settled than that it should be theoretically correct. See Maxims 170, 173 and 339.

255. Mors dicitur ultimum supplicium:—3 Inst. 212.

Death is the utmost limit of all things, and capital punishment is now inflicted only where a most heinous crime has been committed, such as treason and murder, while some of the States have abolished it altogether.

256. *Multa exercitatione facilius quam regulis percipies* :—4 Inst. 50. See Maxim 236.

257. *Nam nemo hæres viventis* :—Co. Litt. 8.

There may be an heir *apparent* or *presumptive* prior to the death of the ancestor, but *hæres* is not applicable so long as such ancestor is living. Thus, if lands be given for life with remainder to the heirs of A., and the life-tenant die before A., this remainder is void, for until A. die, there can be no heirs of A.

258. *Naturæ vis maxima est* :—Noy Max. 26. 2 Inst. 564.

For example, natural affection or brotherly love are good causes or considerations to raise a use. So at common law, if there were mother and daughter and the daughter became attainted, she could not be heir to the mother, yet if she killed her mother, she was guilty of matricide and petit treason ; for she remained her daughter by the law of nature.

259. *Necessitas inducit privilegium quoad jura privata* :—Bac. Max. 25.

The law excuses the commission of an act *prima facie* criminal, if such act be done involuntarily, and under circumstances which show that the individual doing it was not really a free agent.

Thus, if A. by force take the hand of B., in which there is a weapon, and therewith kill C., A. is guilty of murder, but B. is excused. But if merely a moral force be used, as threats, duress, or even an assault to the peril of his life, in order to compel him to kill C., this is no legal excuse for B. See Maxims 260 and 327.

260. *Necessitas non habet legem* :—Plowd. 18. See Maxims 259 and 327.

- 261.** *Necessitas publica est major quam privata:*
Noy Max. 34.

A private right or necessity must yield to the public good; as in the exercise of the powers of eminent domain and taxation.

So if a man be violently assaulted, and has no other possible means of escaping death than by killing an innocent person, this fear and force shall not acquit him of murder, for it is held that he ought rather to die himself, than escape by the murder of an innocent man. See Maxims 152, 217 and 346.

- 262.** *Negligentia semper habet infortuniam comitem*:—Co. Litt. 246.

The law recognizes the importance of this maxim by punishing those who have been guilty of negligence; that is, by failing to do what a reasonable and prudent person would ordinarily have done under the circumstances of the situation, or doing what such a person would not have done.

- 263.** *Nemo admittendus est inhabilitare se ipsum*
Jenk. Cent. 40. See Maxims 276 and 277.

- 264.** *Nemo bis punitur pro eodem delicto*:—2 Hawk Pl. Cr. 377.

This is a fundamental maxim of criminal law and means that a man shall not twice be put in peril after a verdict has been returned by the jury. The verdict, however, must be given upon a good indictment, which must be one on which the prisoner could be legally convicted and sentenced.

It does not follow from this where, from any circumstance, the trial has proved abortive, that then the case shall not be again submitted to the consideration of a jury.

It follows that a man being indicted for an offense and acquitted cannot be again indicted for the same offense, and, if so indicted, may plead *autrefois acquit*, even in case of a charge of murder.

265. Nemo cogitur suam rem vendere, etiam justo pretio :—4 Inst. 275.

It is true, as between individuals, that no one can be compelled to part with his property even for a fair price, but not where individual rights clash with the public interests, for in all such cases the maxim, *salus populi est suprema lex*, obtains.

The right of eminent domain, whereby private property is taken for public uses, is in accordance with the maxim just named, but is one that is too frequently arbitrarily exercised by the legislature at the instance of powerful corporations, professedly for the public good. See Maxim 346.

266. Nemo contra factum suum venire potest :—2 Inst. 66.

This is the doctrine of estoppel as applied to matter contained in a valid sealed instrument.

Thus, in the case of a bond reciting a certain fact, the party executing that bond will be precluded from afterwards denying, in an action brought upon that instrument, the fact so recited.

Estoppels do not hold with respect to strangers. See Maxim 269.

267. Nemo debet esse iudex in propria causa :—12 Co. 113.

The rule in this maxim is held to be inflexible, though it is generally indirectly that such a case occurs. Thus, where a judge interested, as shareholder or otherwise,

in some undertaking, having a suit before him, proceeds to hear the cause.

To such a case, although he be not a party to the suit, yet his interest would preclude him from sitting as judge.

Of similar import are Maxims 183 and 184.

268. *Nemo plus juris transferre ad alium potest quam ipse habet* :—Co. Litt. 309.

Thus, an assignor cannot effectually assign more, or give to his assignee any greater right than he himself possesses at the time of assignment, unless it be that he subsequently acquire the right which he did not then possess.

So the owner of a base or determinable fee can do no more than transfer to another his own estate, or some interest of inferior degree created out of it.

This rule finds a notable exception in the case of negotiable paper, for if such be transferred in good faith for value before it is overdue, it becomes available in the hands of the holder notwithstanding fraud, which would have rendered it unavailable in the hands of a previous holder. See Maxims 39 and 314.

269. *Nemo potest contra recordum verificare per patriam* :—2 Inst. 380.

The record referred to here must be that of a competent court of record, the records of which are of such solemnity, that the law will not allow the fact so admitted or established to be afterwards drawn in question between the same parties or their privies. To litigate the fact again would be to impeach the correctness of the former decisions. See Maxim 266.

270. *Nemo potest esse tenens et dominus* :—Gilb. Ten. 142.

On this principle, when a tenant buys the freehold, he ceases to occupy it as *tenens* and holds as *dominus*.

271. *Nemo potest facere per alium, quod per se non potest* :—Jenk. 237. See Maxims 3 and 39.

272. *Nemo potest mutare consilium suum in alterius injuriam.* See Maxims 266 and 269.

273. *Nemo præsumitur esse immemor suæ æternæ salutis et maxime in articulo mortis*:—6 Co.

This is a maxim of ecclesiastical law, which held that no one was to be presumed to be unmindful of his own eternal welfare, especially in the act of death.

274. *Nemo prohibetur pluribus defensionibus uti* : Co. Litt. 304.

The privilege of employing several matters of defense was guaranteed to the defendant, subject to the leave of the court, by the Statute of 4 Anne. See Maxim 120.

275. *Nemo punitur pro alieno delicto* :—Wing. 335.

It goes without saying that no one should be punished for the crime of another, unless he aided in its commission as principal or accessory, in which case it would become his own.

276. *Nemo se accusare debet, nisi coram Deo.* See Maxims 263 and 277.

277. *Nemo tenetur accusare se ipsum nisi coram Deo* :—Wing. Max. 486.

No one can be compelled to criminate himself, that is, to accuse or confess himself guilty of any crime;

but if he do so voluntarily the confession is admissible.

It is receivable although obtained by artifice or under promise of some collateral good. The only protected confidant seems to be an attorney. The practice is to inquire of the witness whether the prisoner had been told, in effect, that it would be better for him to confess, or worse for him if he did not confess.

Experience has shown that if this rule did not exist, many persons would be found willing, for reward or favor, to accuse themselves of crimes, which they had not committed. See Maxims 263 and 276.

278. *Nemo tenetur armare adversarium contra se:*
Wing. Max. 665.

The law does not require that one litigant place in possession of his adversary information that may be used to his own detriment.

279. *Nihil quod est inconueniens est licitum:—Co.*
Litt. 66a.

This maxim should be received with some qualification, and is understood to mean that, against the introduction or establishing of a particular rule or precedent, inconvenience is a forcible argument. The maxim also finds application in the principle, that the law will sooner suffer a private mischief than a public inconvenience, for it is better to suffer a mischief that is peculiar to one, than an inconvenience that may prejudice many. See Maxim 346.

280. *Nil facit error nominis cum de corpore constat:—11 Co. 21.*

Thus where an estate is devised to a person whose surname or Christian name is mistaken, or whose de-

scription is imperfect or, inaccurate, parol evidence is admissible to show what estate was intended to pass, provided there is sufficient indication of intention appearing on the face of the will to justify the admission of the evidence. See Maxims 121, 239 and 249.

281. Non decipitur qui scit se decipi :—5 Co. 60.
See Maxims 71 and 382.

282. Non definitur in jure quid sit conatus :—6 Co. 41.

Generally speaking, it may be said that to constitute an attempt there must be a combination of intent and act—an intent to commit a crime and an act done in pursuance thereof, which falls short of the thing intended.

An *attempt* conveys the idea of physical effort to do an act, while *intent* expresses the quality of the mind with which the act is done.

283. Non est arctius vinculum inter homines quam jusjurandum :—Jenk. Cent. 126.

This cannot apply to persons who do not believe in God, or, if they do, do not think he will either reward or punish them in this world or in the next, because upon such an oath there cannot possibly be any tie or obligation. Probably a cross-examination, under all circumstances, tends more to elicit truth than an oath. See Maxims 190.

284. Non est informatus.

A judgment by default, when the defendant's attorney declares he has no instruction to say anything by way of answer or defense.

285. Non facias malum ut inde veniat bonum :—11 Co. 74. See Maxim 159.

286. Non jus, sed seisinā, facit stipitem :—Fleta, 6, c. 14.

Seizin in the common law signifies possession; and *primer seisin* is the first possession.

A seizin in deed is where an actual possession is taken; seizin in law is where lands descend and entry has not been made upon them.

Seizin in law exists where the rightful owner has been disseized.

Formerly the law, as above indicated, was understood in all its strictness and no person could be ancestor, unless he had actual seizin of the lands, by himself or some one on his behalf holding under him, or unless there was some other equivalent to such actual seizin, this actual seizin being distinguished from a mere right of entry.

From above it follows that *seisina facit stipitem*.

By statute such actual seizin is no longer required. Whar. Max. 57.

287. Non refert quid notum sit judici si notum non sit in forma judicii :—3 Buls. 115.

A judge cannot act upon information obtained outside of court unless it be such matter as would properly come under his *judicial notice*.

He must rely upon other witnesses or upon other sources of information, otherwise he would be passing upon the admissibility and weight of his own testimony. See Maxims 183 and 225.

288. Nullus commodum capere potest ex sua in jura propria :—Co. Litt. 148.

Thus, where a man binds another to the performance of some particular act, and at the same time does something whereby the performance of such act is prevented; as where A. contracts with B. to build a house within a certain time, under a penalty, B. finding materials, and B., by delay in providing the materials, prevents the due completion of the house, he shall not in such case be allowed to enforce the penalty.

So an obligee of a bond, having prevented the obligor from fulfilling the condition of the bond, shall not take advantage of the non-performance of the condition, else he would profit by his own wrong. See Maxim 159.

289. Nullus recedat e curia cancellaria sine remedio:
4 H. 7, 4. See Maxims 203, 221 and 223.

290. Omne sacramentum debet esse de certa scientia :—4 Inst. 279. See Maxims 190, 193 and 283.

291. Omnia delicta in aperto leviora sunt :—8 Co. 127.

This maxim finds illustration in the common law definition of burglary, to constitute which offense, there had to be a breaking in the *night time*. This definition, however, has been so far modified as to include crimes committed by day as well as by night.

292. Omnia præsumuntur contra spoliatores :—
Broom Max., 6 ed., 892.

A boy found a jewel set in a socket and took it to a goldsmith's to know its value. The apprentice, to whom he gave it to weigh took out the stone and offered the boy three half pence for it, which the boy refused and insisted upon having the jewel back.

Failing in this demand, he brought an action against the master for conversion of the jewel. It was held that the boy was entitled to the jewel, and the jury were instructed that unless the defendant produced it they should presume the strongest against him, and make the value of the best jewel the measure of their damages. *Armory v. Delamirie Smith*, Leading Cases, 396.

293. Omnis innovatio plus novitate perturbat quam utilitate prodest:—2 Bule. 338.

It has been a matter of common observation that whenever a standing rule of the law has been broken down, although the reason of the rule is not apparent, that its wisdom has in the end appeared from the inconveniences that have followed the innovation.

It is an established rule to abide by precedents, *stare decisis*, where the same points come up again in litigation, for it should not be within the power of any judge to alter a permanent rule of the law, he being sworn to determine, not according to his private judgment, but according to the known laws and customs of the land; not delegated to pronounce a new law, but to maintain and expound the old one—*jus dicere et non jus dare*. *Ellis v. Smith*, 2 Ves. Jun. 16. See Maxim 357.

294. Onus probandi.

Burden of proof is properly applied only to a party affirming some fact essential to the support of his case. In this sense it never shifts from side to side during the trial. Loosely used, it is confounded with the *weight of evidence*, which often shifts as facts and presumptions appear and are overcome.

In criminal cases also the burden of proof never shifts, but is upon the government throughout.

295. *Optima legum interpres est consuetudo:—*
Plow. Com. 336. See Maxims 72, 78 and
296.

296. *Optimus interpres rerum est usus:—2 Inst.*
282.

The office of a custom is to interpret the otherwise indeterminate intentions of parties, and to ascertain the nature and extent of their contracts.

A custom may also be admitted to ascertain the true meaning of particular words in an instrument, when they have various meanings, some common, some qualified and some technical, according to the subject matter to which they are applied. An express contract is always admissible to supersede, vary, or control a usage or custom, but such a contract cannot be controlled, varied, or contradicted by a usage or custom. 2 Sumner (U. S.) R. 567. See Maxims 72, 78 and 295.

297. *Pacta privata juri publico non derogare*
possunt:—7 Co. 23.

If the thing stipulated for is contrary to law, the agreement must be held as intrinsically null.

Not only is the consent or private agreement of individuals ineffectual in rendering valid any direct contravention of the law, but it will fail altogether to make effectual that which is unjust or deficient in respect to any matter which the law declares to be indispensable and not circumstantial merely.

Therefore, an agreement by a married woman, that she will not avail herself of coverture as a ground of defense would not be valid in support of the plaintiff's claim and by way of answer to a plea of coverture. See Maxims 77 and 78.

298. Partus sequitur ventrem :—2 Bl. Com. 390.

This is the law in the case of slaves and animals, but with regard to freemen children follow the condition of the father. 1 Bouv. Inst. n. 167, 502.

299. Pater est quem nuptiæ demonstrant :—Co. Litt. 123.

This was a rule of the civil and canon law, by which the subsequent marriage between the father and the mother was held to make the son before marriage legitimate. The maxim *hæres legitimus est quem nuptiæ demonstrant* was framed in England for the direct purpose of excluding, in the descent of that country, the application of the rule under consideration, though both in England and in this country a child, born at any time during coverture, or within a competent time after the death of the husband, is legitimate. See Maxim 142.

300. Peccata contra naturam sunt gravissima :—3 Inst. 20.

Blackstone says the *crime against nature* could be committed with man or beast, the punishment for which at common law was burning to death. Even in the indictments it was referred to as *peccatum illud horribile, inter christianos non nominandum*—that heinous crime, not to be mentioned among Christians.

301. Pendente lite nihil innovetur :—Co. Litt. 344.

The doctrine of *lis pendens* is that realty, or, to some extent, personalty, when put in litigation by a suit in equity, will, if the suit is prosecuted with reasonable diligence, be bound by the final decree, notwithstanding any intermediate alienation.

The doctrine is based upon public policy rather than upon notice. *Gardner v. Peckham*, 13 R. I. 103-104.

**310. Quicquid plantatur solo, solo cedit :—Went.
Off. of Exec. 47.**

This maxim may be said to apply in its strict sense to all those cases where buildings are erected upon land, or fixtures affixed to buildings, by a man upon his own land or by one man upon the land of another. In which cases, in the absence of any express or implied agreement to the contrary, the buildings and fixtures belong to the owner of the soil.

Trade fixtures are now excepted from the operation of this rule. Whar. Max. 73.

**311. Qui facit per alium, facit per se:—Co. Litt.
258.**

This maxim has reference to the law of principal and agent, and under it a principal is responsible for the acts of his agent; as, where B. employs A. to buy goods for him, B. is liable in an action for the amount.

If a servant do what the master ought to do, it is the same as though the master did it himself, or if a servant do anything without the consent of the master, it may be ratified by the latter.

This maxim applies to everything done by the agent in the scope of his authority, whether the agent be engaged in purchase or sale.

It does not apply to the acts of the agent of an agent. Whar. Max. 75. See Maxims 96 and 340.

**312. Qui hæret in litera, hæret in cortice:—Co.
Litt. 289.**

A liberal translation would be, He who considers the letter only of an instrument cannot comprehend its meaning.

That which is contrary to reason is contrary to law, the meaning of the maxim being that to understand the

letter of the law the reason of it must be known. So the construction of deeds must be agreeable to common understanding; and where the intention is clear too much stress must not be laid upon the precise signification of words.

A lessee who covenants to leave all the timber which was growing on the land when he took it, breaks the covenant if, at the end of the term, he cuts it down but leaves it there. *Whar. Max. 76. See Maxims 121, 239, 249, 280.*

313. *Qui in utero est, pro jam nato habetur, quoties de ejus commodo quaeritur:—1 Bla. Com. 130.*

A child in the womb is considered as actually born when its rights of property or otherwise are inquired into.

314. *Qui non habet, ille non dat:—Jackson v. Bradford, 4 Wend. 619, 623. See Maxims 39, 92 and 268.*

315. *Qui non habet potestatem alienandi, habet necessitatem retinendi:—Hob. 336. See Maxims 39, 268 and 314.*

316. *Qui non improbat, approbat:—3 Inst. 27. See Maxims 71 and 317.*

317. *Qui non obstat quod obstare potest facere videtur:—2 Inst. 146. See Maxims 71 and 316.*

318. *Qui non prohibet quod prohibere potest assentire videtur:—2 Inst. 308. See Maxims 71, 316 and 317.*

319. *Qui peccat ebrius, luat sobrius:—Cary's Rep. 133.*

The immunity from punishment, which, through motives of humanity and justice, is allowed by law to persons mentally affected, is not extended to him who commits a felony, or other offense, whilst in a state of drunkenness; he shall not be excused, because his incapacity arose from his own default, but is answerable equally as if he had been in the full possession of his faculties.

Yet proof of the fact of drunkenness may be very material, as tending to show the *intention* with which the particular act charged as an offense was committed, and whether the act done was accidental or designed. Broom Max. 17.

320. Qui potest et debet vetare et non vetat jubet :
Wendell v. Van Rensselaer, 1 Johns. Ch.
244. See Maxims 71 and 316.

321. Qui prior est tempore potior est jure:—Co.
Litt. 14a.

This maxim applies to the first occupant of land, to the heir who takes by descent and to an inventor.

The law of descent whereby the eldest male, at common law, of equal degrees of consanguinity, as being first in time and more worthy, are preferred to the younger, is regulated by this maxim.

So, where there are two writs of *feri facias* delivered to the sheriff, the one first delivered must first be satisfied.

Also the finder of a chattel acquires a right thereto against all but the true owner. Whar. Max. 174. See Maxims 149, 163, 248 and 331.

322. Qui sentit commodum, debet et sentire onus :
et e contra :—1 Co. 99.

The liability of a railroad company to provide sufficient accommodation for passengers and goods in traffic, and to indemnify against loss or damage by negligence, in return for the exclusive right of way, comes within the meaning of this rule. Also where the public are not directly concerned, as in rights and liabilities arising out of the relation of lessor and lessee, husband and wife, principal and agent. Thus a devise subject to the payment thereon of a certain sum, carries with it an obligation to make the payment, and the thing devised stands charged with the sum payable, and cannot be accepted otherwise. See Maxim 366.

323. Qui tacet consentire videtur:—Jenk. Cent. 32. See Maxims 71, 134, 143 and 317.

324. Quod ab initio non valet, in tractu temporis non convalescit:—4 Co. 2.

When the consideration for a deed is illegal, no lapse of time can cure the defect. In nullities in pleadings also, and in transactions founded upon fraud, it may be stated generally that lapse of time will not avail to cure the defect. The will of an infant is void and is not rendered available when the infant attains full age, unless there be a new execution. Yet in the Roman Law, if a husband sold his wife's dowry, the sale was invalid, still, if at her death, the land became his, the sale was established. D. 41, 3, 42. Whar. Max. 81. See Maxim 329.

325. Quod constat curiæ opere testium non indiget:—2 Inst. 662.

This maxim refers the knowledge which a judge will officially take of a fact without proof, such as the existence and titles of foreign powers, the ordinary pub-

lic fasts and holidays, the coincidence of the days of the week with those of the month, etc. The courts of the United States take judicial notice of the public statutes of the several States. See Maxim 287.

326. Quod necessarie intelligitur, id non deest:
1 Buls. 71.

This maxim finds illustration in the interpretation of instruments, such as wills, deeds and contracts.

A custom, for instance, when parties contract with reference thereto, need not be expressed, for it is necessarily understood—*necessarie intelligitur*, and parol evidence may be introduced to show what the custom is.

327. Quod necessitas cogit, defendit:—Hale P.
C. 54. See Maxims 259 and 260.

328. Quod non apparet, non est:—Jenk. Cent. 207.

In reading an affidavit, the court will look solely at the facts deposed to, and will not presume the existence of additional facts in order to support the allegations contained in it. See Maxim 98.

329. Quod non habet principium non habet finem:
Ving. Max. 79.

Where a living, for instance, becomes vacant by resignation or canonical deprivation, the common law requires the bishop to give notice thereof to the patron, otherwise the former can take no advantage by lapse. See Maxim 324.

330. Quod per me non possum, nec per alium:—4
Co. 24. See Maxim 311.

331. Quod prius est verius est: et quod prius est tempore potius est jure:—Co. Litt. 347. See Maxims 149, 163, 248, 321.

332. *Quod vanum et inutile est, lex non requirit:*
Co Litt. 319. See Maxim 218.

333. *Quoties in verbis nulla est ambiguitas, ibi nulla expositio contra verba expressa fienda est:—Co. Litt. 147.*

If an instrument be plain upon the face of it, and complete in meaning, no evidence will be admitted to give any other construction to it than that which is so plainly expressed, even though it be contended that the plain meaning so expressed upon the face of the instrument does not carry out the intention of the parties. Therefore, in all cases where a written instrument appears on the face of it to be complete, parol evidence will not be admitted to vary or contradict it. The rule as to patent ambiguity applies to the maxim under consideration; as, in a will, if there be a blank for the devisee's name, parol evidence will not be admitted to supply this defect.

334. *Ratio est legis anima, mutata legis ratione mutatur et lex:—7 Co. 7. See Maxims, 61. 62, 226 and 867.*

335. *Reprobata pecunia liberat solventem:—9 Co. 79.*

A tender of money, to release the debtor, must be made by a person authorized by the debtor, and to the creditor or some one authorized to receive it. This maxim is further subject to the qualification that the exact sum must be tendered and at the time agreed upon, or, in other words, in compliance with the terms of the contract. Bouv. Law. Dict. 714.

336. *Res gestæ.*

The circumstances, facts, and declarations which

grow out of the main fact, are contemporaneous with it, and serve to illustrate its character.

Under the *res gestæ* may be included facts which so illustrate and characterize the principal fact as to constitute one transaction.

It is impossible to lay down a rule as to what is part of the *res gestæ*, which will be decisive of the question in every case in which it may be presented by the unvarying phases of human life.

On an indictment for rape, what the girl said so recently after the fact as to exclude the possibility of practising on her, has been held to be admissible evidence as a part of the *res gestæ*.

337. *Res integra*.

A term applied to those points of law which have not been decided, and which are untouched by dictum or decision.

338. *Res inter alios acta alteri nocere non debet*:— Co. Litt. 132.

Every fact not admitted must be proved upon oath, either on the trial of the issue, or some other issue involving the same question between the same parties. Where other evidence is adduced, it is *res inter alios acta*, and this maxim applies; unless it be of that nature which necessity admits; as documents of a public nature, or declarations of persons deceased, or against interest, etc.

A simple illustration is that of a judgment recovered in one court, which may be successfully pleaded in bar in an action between the same parties for the same thing in another court of concurrent jurisdiction. But it is otherwise where the record of a conviction in a criminal suit is offered as evidence of the same fact in

controversy in a civil suit, for the parties are not the same, the state being a party in the criminal suit. So one would not be bound by the declarations of a stranger.

The reason of this maxim is that it would be unjust to bind a person by proceedings to which he was not a party, to which he had no opportunity of making a defense, and from which he could not appeal. *Whar. Max. 82*. See Maxim 198.

339. *Res judicata accipitur pro veritate*:—Co. Litt. 103.

By *res judicata* we mean a legal or equitable issue that has been decided by a court of competent jurisdiction, and it is a general principle that such decision is binding and conclusive upon all other courts of concurrent power.

This is a rule of universal law. But in order to make a matter *res judicata* four conditions must concur, namely: identity in the thing sued for, identity of the cause of action, identity of persons and of parties to the action, and identity of the quality of the persons for or against whom the claim is made. *Bouv. Law. Dict.* See Maxims 170 and 187.

340. *Respondeat superior*:—4 Inst. 114.

The application of this rule arises chiefly out of the relation existing between the parties in the cases of principal and agent, master and servant.

Thus where a servant commits a trespass by the command of the master, the servant himself is directly liable, and the master also under this rule of *respondeat superior*.

This rule also applies to fraud on the part of the servant acting apparently within the scope of his author-

ity, but it does not apply to wilfully tortuous acts, as act of purposed injury not falling within the scope of such authority. Whar. Max. 85. See Maxims 96, 311.

341. *Rex est major singulis, minor universis*:—
Brac. lib. 1, c. 8.

When the rights of the King and individuals conflict, those of the latter must give way, but if the rights or the claims of the King come in contact with the rights of all the people, he must either yield or revolution will result. See Maxim 309.

342. *Rex non debet judicare sed secundum legem*:
Jenk. Cent. 9. See Maxims 343 and 345.

343. *Rex non potest peccare*:—2 Roll. R. 304.

This maxim does not imply that the king cannot, as a man, do wrong, but that, in his kingly capacity, wrong is not to be imputed to him. As an individual, the king is protected from ordinary common law proceedings by a subject by suit or action for injury of a private nature not in respect to a claim to property.

The king is not under the dominion of man, but of God and the law, and it is not to be presumed that he will do or sanction anything contrary to law, to which he is equally amenable with his subjects. But if an evil act be done, though emanating from the king personally, it will be imputed to his ministers, and the king is in no way responsible for their acts, whether they be his immediate advisers or any one acting in authority under him or them. Upon this principle, the crown cannot be prejudiced by the wrongful acts of its servants nor by errors in letters patent, etc. Whar. Max. 86. See Maxim 345.

344. *Rex nunquam moritur*:—Broom Max. 6th, ed.,
46.

The principle contained in this maxim of our Constitution is founded upon motives of expediency, and to avoid dissension in troublesome times, the descent of the crown being once fixed. The law ascribes to the sovereign in his political capacity perpetuity. The *demise* of the king means only that there has been a disunion of the king's natural body from his body politic, the kingdom being transferred to his successor, thus preserving the perpetual character of the royal dignity.

In accordance with this maxim, a grant of lands made to the king without the words *heirs* or *successors* will pass a fee simple. As the king commences his reign from the day of the death of the ancestor, it has been held that compassing his death before coronation, is compassing the king's death. Whar. Max. 87. See Maxim 151.

345. Rex quod injustum est facere non potest:
Jenk. Cent. 9. See Maxim 343.

346. Salus populi est suprema lex:—13 Co. 139.

In all cases of necessity the interests of an individual must give way to the interests of a multitude, the principle extending to private as well as to public interests. It is upon this principle that private individuals are bound to perform certain public duties when called upon; as to prevent a breach of the peace, serve as jurors, soldiers, sailors, pay taxes, etc. So public officers, acting in the proper discharge of their duty are not liable for injury to private individuals.

Those who are called upon to make individual sacrifice for the public good know that they receive a corresponding benefit in the protection afforded them in their person and property by the laws of the country,

and in other privileges thereby accorded. *Whar. Max.* 90. See *Maxims* 152, 217 and 261.

347. *Scienter*.

This is the allegation of knowledge on the part of a defendant or person accused, which is necessary to charge upon him the consequence of the crime or tort. A man may pass a counterfeit coin, when he is ignorant of its being counterfeit, and is guilty of no offense; but if he knew the coin to be counterfeit, which is called the *scienter*, he is guilty of passing counterfeit money. *Bouv. Law. Dic.*

348. *Scire facias*.

A writ for a defendant to appear in court on a day named to show cause why the plaintiff should not have advantage out of a matter of public record. For example, its purposes may be to revive a judgment, which from lapse of time will soon be presumed to have been released as satisfied. The writ commands the defendant to show cause (1) why the judgment should not be revived, or (2) why execution should not issue. *Scire facias* is also used by the government as a mode to ascertain and enforce the forfeiture of a corporate charter, where there is a legal existing body, but who have abused their power. *Bouv. Law. Dict.*

349. *Scribere est agere*:—2 *Rol. Rep.* 89.

A deed in writing is, at the present time, sufficient to effect the transfer of property, without any actual livery of seisin.

350. *Semper præsimitur pro legitimatione puerorum*:—*Co Litt.* 126.

Because the negative of this proposition involves

guilt which the law does not presume. Besides, knowledge of paternity, or filiation would be extremely difficult to arrive at in case where one is not the lawful husband. See Maxims 129 and 351.

351. *Semper pro matrimonio præsuntur.* See Maxims 129 and 350.

352. *Senatus populusque Romanus.*

These words, in an abbreviated form—S. P. Q. R.—appeared on Roman coins and on the standards of the legions.

353. *Sententia interlocutoria revocari potest, definitiva non potest:—Bac. Max. Reg. 20.*

A final decree or judgment does not become such, until the term has passed in which it was rendered, after which time it cannot be revoked.

An interlocutory decree or judgment, however, may be revoked any time before it is made final and up to that time is said to be *in gremio curiæ*—in the breast of the court.

354. *Servitia personalia sequuntur personam:—2 Inst. 374.*

Personal services follow the person.

355. *Sic utere tuo ut alienum non lædas:—9 Co. 59.*

The principle of this maxim applies to the public, and to public rights, and in such a manner as that when any such right is violated whereby damages is sustained, a right of action arises. Thus, the lessee and occupier of refreshment rooms at a railway station, and of a cellar underneath, whose servant a coal dealer, in putting coal into the cellar, left open a trap door in the

platform of the station, through which a passenger fell and was injured, was held liable in damages for the injury sustained by such passenger. *Whar. Max. 90.* See Maxims 15 and 172.

356. *Simplex commendatio non obligat.*

This refers to a simple commendation of goods by a vendor, not amounting to warranty.

357. *Stare decisis.*

This is the great doctrine of precedents and is to be distinguished from *res judicata*, which is more limited in its application. When once a point of law is firmly settled by a decision, that decision rules like cases subsequently arising.

When there has been a series of decisions by the highest tribunal, the rule *stare decisis* is regarded as impregnable—except by legislative enactment. *Harrow v. Meyers*, 29 Ind. 470. See Maxim 293.

358. *Sublata causa, tollitur effectus:—2 Bl. Com. 203.* See Maxim 334.

359. *Sublato fundamento, cadit opus:—Jenk. Cent. 106.* See Maxims 334 and 358.

360. *Subsequens matrimonium tollit peccatum præcedens:—Reg. Jur. Civ.*

According to the civil law, a child born out of lawful wedlock was made legitimate by the subsequent marriage of the parents. This rule, however, was not adopted at common law, which even after such a marriage regarded the child a bastard.

361. *Summa ratio est quæ pro religione facit:—Co. Litt. 341.*

The laws of all nations are supposed to be founded upon this maxim, the only question being what is religion, and the difference of opinion upon this question is owing to the difference in customs, habits, and laws of the universe. The laws of all countries are supposed to be consistent with their respective religions. By reason of this rule the law gives the church many privileges, in order to favor religion, such as the exemption of church property from taxation. Whar. Max. 91.

362. *Suppressio veri expressio falsi* :—Addington v. Allen, 11 Wend. 374, 417.

This maxim refers to the suppression of material facts, which a party is bound to disclose, such facts contradicting or qualifying those that are expressed. See Maxim 134.

363. *Terra firma*. Solid land.

364. *Testamenta latissimam interpretationem habere debent* :—Jenk. Cent. 81. See Maxims 171, 177 and 371.

365. *Traditio loqui chartam facit* :—5 Co. 1. See Maxim 178.

366. *Transit terra cum onere* : Co. Litt. 231a.

An application of this maxim is to be found in covenants running with the land, which pass with the land, and on which the assignee of the lessee, or the heir or devisee of the covenantor, is in many cases liable. This maxim also holds with reference to customs that are annexed to the land and that pass therewith. See Maxims 3 and 322.

367. *Ubi eadem ratio ibi idem jus, et de similibus idem est judicium:—Co. Litt. 191.*

For the first part of this maxim it may be said that law is founded upon reason, and is the perfection thereof, and that what is contrary to reason is contrary to law; and for the second, that where no established precedent can be found exactly in point, whereupon to ground a decision, the case in question may be properly decided by reference to similar cases. *Whar. Max. 92. See Maxims 226 and 334.*

368. *Ubi jus ibi remedium est:—Co. Litt. 197.*

This maxim was in former times more looked to as a guide than at present, for the remedies provided by law were not so numerous, nor so well understood or applied in redressing grievances. The remedy here referred to more particularly applies to those cases where the common law gives a right, or prohibits a wrong; and, generally, whether or not any actual damage has arisen from violation of the right. It must be borne in mind that the right here alluded to is one in contemplation of law and not what any one might call a right. *Whar. Max. 93. See Maxims 162 and 212.*

369. *Ubi non est principalis, non potest esse accessorius:—4 Co. 43. See Maxim 3.*

370. *Ubi nullum matrimonium, ibi nulla dos est.*

Mere concubinage does not constitute marriage, and, as an essential element of dower is a *lawful* marriage, dower would not attach without it. A dissolution of marriage also will defeat dower.

- 371.** *Ultima voluntas testatoris est perimplenda secundum veram intentionem suam.*—Co. Litt. 322. See Maxims 171, 177 and 364.

- 372.** *Utile per inutile non vitiatur.*—Dyer, 392.

This rule is chiefly applicable to what is called surplusage, or the introduction of useless and unnecessary words in deeds, contracts, pleadings, etc., which words, under this rule, will be rejected rather than be allowed to vitiate, or render useless, the instrument in which they are introduced.

Deeds and other writings, good in part and bad in part, whether through defect in the consideration, the drawing of the instrument, or otherwise, come within this rule. See Maxims 97, 121 and 249.

- 373.** *Ut pœna ad paucos, metus ad omnes, perveniat.*—4 Inst. 6.

One of the purposes of the law is to operate as a deterrent force, without which many more offenses would be committed. See Maxim 148.

- 374.** *Verba chartarum fortius accipiuntur contra proferentem.*—Co. Litt. 36.

This maxim is subject to the rule, that an instrument must be construed according to the intention of the parties gathered from the whole instrument, and the maxim applies only where there is an ambiguity, requiring explanation, in the language of the instruments; and where the construction will not work to the injury of third parties. Thus, where an estate is granted to a man for life, without saying for whose life, it shall be taken to be for the life of the grantee, an estate for a man's own life being considered greater than an estate for the life of another. Whar. Max. 95.

375. *Verba debent intelligi cum effectu*:—*Bickets v. Livingston*, 2 Johns. Cas. 97, 101.

This is a general principle, which governs the construction of all agreements, oral or written, and of all unilateral instruments, like deeds or wills, which are designed to embody the intention of a party. 21 Wend. 652. See Maxim 175.

376. *Verba intentioni, non e contra, debent inservire*:—8 Co. 94. See Maxims 239, 249 and 280.

377. *Via antiqua via est tuta*:—*Manning v. Manning*, 1 Johns. Ch. 527, 530.

This maxim should be considered in connection with *cursum curiæ est lex curiæ*.

Any informal proceeding, or one not done within the time set for it, or in the manner prescribed by the practice of the court, may be set aside for irregularity.

Courts of law will not sanction a speculative novelty without the warrant of any principle, precedent or authority. See Maxims 88 and 293.

378. *Vi et armis*.

This is the phrase used to denote an action of trespass accompanied with force. It is brought to recover damages which result immediately from the injury to the person or to personal property.

379. *Vigilantibus non dormientibus jura subveniunt*:—Wing. 692.

In all actions, suits, and other proceedings at law and in equity, the diligent and careful actor is favored to the prejudice of him who is careless.

The statutes of limitations, whether as respects real

or personal property, persons, or things, are made in furtherance of the principle of this maxim. So the law may deny relief to one who has long and negligently delayed to file a bill for specific performance. 5 Ves. 720; 26 Wend. 238, 247.

380. Vir et uxor consentur in lege una persona:
Jenk. Cent. 2..

This was a fiction of the common law, the husband and the wife by marriage becoming one legal person. The woman by marriage lost all legal identity and was considered *civiliter mortuus*.

To illustrate, they could not contract together or wrong each other civilly, or sue each other. They could not testify for or against each other except where one had inflicted personal injury upon the other. The rigidity of this rule has been greatly modified by legislation. It was unknown to the civil law.

381. Visitationem commendamus.

Visitation is the act of examining into the affairs of a corporation. This power was applicable only to ecclesiastical and eleemosynary corporations at common law. The visitation of civil corporations is by the government through the medium of the courts. In the United States the legislature is the visitor of all corporations founded by it for public purposes. Bouv. Law Dict.

382. Volenti non fit injuria:—Wing. Max. 482.

This maxim applies principally to those cases where a man suffers an injury for which he has a claim for compensation, but which claim he is considered as waiving by acquiescing in, or not objecting to, the injury committed; as, when a man connives at or con-

done the adultery of his wife, he cannot in such case obtain damages from the seducer, nor sustain a petition for divorce. So where a man has jointly contributed to the injury he has received by his own negligence, so where one voluntarily pays a debt contracted during his infancy, or barred by the statute of limitations, he has no right to the repayment of the money. 3 Johns. Cas. 240. Whar. Max. 99. See Maxims 71 and 281.

383. *Voluntas in delictis non exitus spectatur* :—2 Inst. 57. See Maxim 64.

384. *Voluntas reputatur pro facto* :—3 Inst. 69.

This is the old maxim with respect to treasonable offenses. To constitute the offense of treason the intent alone was sufficient, for the law was more strict where one compassed or imagined the death of the king. Between subject and subject the intent must be more manifest, and must be accompanied by undeniable overt acts. The intent will be gathered from all the surrounding circumstances. An expressed intention to commit a felony, without any overt act, is not felony; though with an overt act, it would be. Where a servant, having stolen his master's goods, went to his bedside and attempted to cut his throat, and thinking he had done so, left him and fled, he was guilty of felony, for, in crimes, the intent and not the consequence is arded. Whar. Max. 100. See Maxims 383.

385.

The voice of the people is the voice of God—a principle that is being fast recognized by the nations of the world, but which is given especial emphasis and importance by republics, whose rulers hold their commissions from the people, to whom they are solely responsible.

LEGAL MAXIMS TRANSLATED.

1. An absolute judgment needs no expositor.
2. Abundant caution does no harm.
3. An accessory does not *draw*, but follows its principal.
4. Outward acts indicate the inward intent.
5. Law suits.
6. The action has not accrued within six years.
7. An action is not given to one who is not injured.
8. A personal action dies with the person.
9. The burden of proof lies on the plaintiff.
10. The act of the law does no one wrong.
11. An act does not make one guilty unless there be a criminal intent.
12. The laws are adapted to those cases which occur more frequently.
13. The judges do not answer to a question of fact; the jury do not answer to a question of law.
14. For a perpetual memorial of the matter.
15. It is not lawful to build on one's own land what may be injurious to another.
16. Equity follows the law.
17. Equity never contradicts the law.
18. Alienation is preferred by law rather than accumulation.
19. One making contradictory statements is not to be heard.
20. One alleging his own infamy is not to be heard.
21. An allegation contrary to a deed is not admissible.
22. An ambiguity is most strongly construed against the party using it.

23. A patent ambiguity is never holpen by averment.
24. From bed and board.
25. A friend of the Court.
26. The laws of England are favorable in every case to liberty.
27. With an intention of stealing.
28. With an intention of making a will.
29. The year of mourning.
30. Water runs and ought to run.
31. An award is a judgment.
32. A tree while it grows; wood when it cannot grow.
33. An argument drawn from authority is the strongest in law.
34. An argument from impossibility is very strong in law.
35. An argument.
36. An argument based upon the ignorance (*i. e.* of one's adversary).
37. The laws permit the taking up of arms against the armed.
38. The meeting of minds, *i. e.* mutual assent.
39. An assignee is clothed with the rights of his assignor.
40. Hear the other side.
41. The King's Court.
42. From the bond of matrimony.
43. The more favorable construction is to be placed on general or doubtful words.
44. He gives (pays) twice who pays promptly.
45. In good faith.
46. It is the part of a good judge to enlarge his jurisdiction *i. e.* his remedial authority
47. It is the duty of a good judge to cause execution to issue on a judgment without delay.
48. It is the duty of a good judge to prevent litigation.
49. Bonus or premium.
50. A good judge decides according to justice and right and prefers equity to strict law.
51. A judicial writ does not fail through defect of form.
52. Let the *writ* be quashed.

53. A fortuitous event is not to be foreseen and no person is bound to divine it.
54. Chattels are considered in law among the minor things.
55. The immediate and not the remote cause is to be considered.
56. Let the purchaser beware.
57. Let the seller beware.
58. I have taken the body and the prisoner is sick.
59. I have taken the body and have it ready.
60. That is certain which can be made certain.
61. The cause ceasing, the effect ceases.
62. When the reason of the law ceases, so does the law itself.
63. Unusual clauses always excite suspicion.
64. No one deserves punishment for his thought.
65. A loan.
66. A common error makes law.
67. A condition precedent must be fulfilled before the effect can follow.
68. A confession made in court is of greater effect than any proof.
69. A confirmation is null where the preceding gift is invalid.
70. Consent, not coition, constitutes marriage; and persons cannot consent before (they have reached) marriageable age.
71. Consent removes or obviates a mistake.
72. The custom of the place is to be observed.
73. A contemporaneous exposition is the best and most powerful in law.
74. Against good morals.
75. A contract is an act as it were against an act.
76. No prescription runs against a person not able to act.
77. An agreement of private persons cannot derogate from public right.
78. A contract and agreement overcome the law.
79. In the presence of our Lord the King.
80. The body, *i. e.* the gist of the crime.

135. Fraud is odious and is not to be presumed.
136. Fraud and justice never dwell together.
137. That is proved in vain which when proved is not relevant.
138. Insanity prevents marriage from being contracted, because consent is needed.
139. A general rule is to be generally understood.
140. That you have the body.
141. Heir is a term of law; son, one of nature.
142. He is the lawful heir whom the marriage indicates.
143. It is the same to say nothing as not to say enough.
144. That which is common is said to be ours.
145. Ignorance of fact excuses; ignorance of law does not excuse.
146. A sovereignty within a sovereignty.
147. Impossibility excuses (is an excuse in) the law.
148. Impunity always leads to greater crimes.
149. When the parties have equal rights, the condition of the possessor is the better.
150. In high treason no one can be an accessory; but a principal only.
151. In England there is no interregnum.
152. In a case of extreme necessity everything is in common.
153. In criminal cases the proofs ought to be clearer than the light.
154. In the King's Court, the King himself in his own person dispenses justice.
155. A legal fiction is consistent with equity.
156. In the forum of conscience.
157. In the future.
158. In law not the remote but the proximate cause is looked at.
159. A wrong does not excuse a wrong.
160. In a dead hand.
161. In everything is born that which destroys the thing itself.
162. In a new case a new remedy is to be applied.

163. When the parties are equally in the wrong the condition of the possessor is better.

164. Against the person.

165. In whatever thing one offends in that he is to be punished according to law.

166. In a doubtful matter the negative is to be understood rather than the affirmative.

167. In a State the laws of war are to be especially observed.

168. Intention ought to be subservient to the laws, not the laws to the intention.

169. In war the laws are silent.

170. It is to the interest of the State that things adjudged be not rescinded.

171. It is to the interest of the State that men's last wills be sustained.

172. It is to the interest of the State that every one use properly his own property.

173. It is to the interest of the State that there be an end to litigation.

174. To interpret and harmonize laws is the best method of interpretation.

175. Such a construction is to be made that the thing may have effect rather than that it should fail (*i. e.* of effect).

176. Repeated interruption does not defeat a prescription once obtained.

177. In wills we seek diligently the intention of the testator.

178. In the delivery of writings (deeds), not what is said but what is done is to be considered.

179. In words, not words but the thing and the meaning are to be inquired into.

180. A benefit is not conferred upon one against his consent.

181. Anger is brief insanity.

182. A judge is the law speaking.

183. A judge cannot be a witness in his own cause.

184. A judge cannot punish a wrong done to himself.

185. A judge does not give more than the plaintiff himself demands.

186. Judges are not bound to explain the reason of their judgment.

187. Faith or credit must be given to later decisions.

188. It is the duty of a judge to decide according to the allegations and the proofs.

189. A judgment ought not to be illusory; it ought to have its proper effect.

190. An oath is indivisible and is not to be held partly true and partly false.

191. The laws of nature are immutable.

192. Public rights are to be preferred to private rights.

193. To swear is to call God to witness and is an act of divine worship.

194. The right of survivorship is preferred to incumbrances.

195. A right to a thing; a right in a thing.

196. To declare the law, not to make the law.

197. The law is a rule of right; and whatever is contrary to a rule of right is an injury.

198. An oath made between third parties ought neither to hurt nor profit.

199. Natural right is that which has the same force among all men.

200. The written law or the unwritten law.

201. Justice is two fold; severely punishing and in reality prohibiting (offences).

202. The throne is established by justice.

203. Justice is to be denied to no one.

204. Subsequent laws repeal prior conflicting ones.

205. When laws imposed by the State fail, we must make use of the laws of nature.

206. Thelaw sometimes follows equity.

207. The law of England is a law of mercy.

208. The law of England is the law of the land.

209. The law of England can never be changed except by act of Parliament.

210. The law would rather tolerate a private injury than a public evil.

211. The Cornelian law concerning assassins.

212. The law will give a remedy.

213. The law abhors delays.

214. The law is the safest guide for judges.

215. The law is a sacred sanction, commanding what is right and prohibiting the contrary.

216. The law presumes that one neighbor knows the acts of another.

217. The law of necessity is the law of time; that is time present.

218. The law compels no one to do vain or impossible things.

219. The law does nothing in vain.

220. The law must not be violated by the King.

221. The law cannot fail in dispensing justice.

222. The law does not favor the wishes of the dainty

223. The law knows neither father nor mother; only the truth.

224. The law does not arise from a mere injury.

225. The law does not require that to be proved which is apparent to the Court.

226. The law is the more praised when it is supported by reason.

227. The law looks forward not backward.

228. The law punishes falsehood.

229. The law rejects superfluous, contradictory and incongruous things.

230. The law regards the order of nature.

231. The law succors the ignorant.

232. Law is the safest helmet; under the shield of the law no one is deceived.

233. The law speaks to all through one mouth.

234. Long possession is the law of peace.

235. Long possession produces the right of possession and takes away from the true owner his action.

236. Use is the master of things; experience is the mistress of things.

237. The greater contains the less.

238. It is a greater crime to kill one's self than another.

239. Bad grammar does not vitiate a deed.

240. In bad faith.

241. Crimes prohibited.

242. Malice supplies age.

243. With evil intent.

244. Bad in themselves.

245. We command.

246. The people are the greatest master of error.

247. A minor can make his position better, never worse.

248. Better is the condition of the possessor where neither of the two has the right.

249. In wills the intention of a testator is to be regarded.

250. To lie is to act against the mind.

251. He justly loses the benefit of the law who seeks to infringe the law.

252. He threatens the innocent who spares the guilty.

253. A minor cannot make oath.

254. It is a miserable slavery where the law is vague or uncertain.

255. Death is called the extreme penalty.

256. You will perceive many things more easily by experience than by rules.

257. For no one is an heir of a living person.

258. The force of nature is the greatest.

259. With respect to private rights necessity induces privilege.

260. Necessity has no law.

261. Public necessity is greater than private necessity.

262. Negligence always has misfortune for a companion.

263. No one is allowed to incapacitate himself.

264. No one can be twice punished for the same offence.
265. No one is bound to sell his own property, even for a just price.
266. No man can contradict his own deed.
267. No one can be judge in his own cause.
268. No one can transfer to another a larger right than he himself has.
269. No one can verify by the country, that is, through a jury, against the record.
270. No one can at the same time be a tenant and a landlord (of the same tenement).
271. No one can do through another what he cannot do through himself.
272. No one can change his purpose to the injury of another.
273. No one is presumed to be forgetful of his eternal welfare, and particularly in the hour of death.
274. No one is forbidden to make use of several defences.
275. No one is punished for the crime of another.
276. No one should accuse himself except in the presence of God.
277. No one is bound to accuse himself except in the presence of God.
278. No one is bound to arm his adversary against himself.
279. Nothing inconvenient is lawful.
280. An error of name makes no difference when it appears from the body of the instrument.
281. He is not deceived who knows that he is deceived.
282. What an attempt is, is not defined in law.
283. There is no stronger link among men than an oath.
284. He is not informed.
285. You shall not do evil that good may come of it.
286. Not right but seisin makes a stock (from which the inheritance must descend).
287. It matters not what is known to the judge if it is not known judicially.

- ✓ 238. No one can derive an advantage from his own wrong.
- 239. No one should depart from a Court of Chancery without a remedy.
- 290. Every oath ought to be of certain knowledge.
- 291. All crimes (committed) in the open are (considered) lighter.
- 292. All things are presumed against a wrongdoer.
- 293. Every innovation disturbs more by its novelty than it benefits by its utility.
- 294. The burden of proof.
- 295. The best interpreter of laws is custom.
- 296. The best interpreter of things is usage.
- 297. Private contracts cannot derogate from public law.
- 298. The offspring follows the mother.
- 299. The father is he whom the marriage points out.
- 300. Wrongs against nature are the most serious.
- 301. During litigation nothing should be changed.
- 302. Through threats.
- 303. He has fully administered.
- 304. One eye witness is worth more than ten ear witnesses.
- 305. The punishment can be removed but the crime remains.
- 306. Witnesses are weighed, not counted.
- 307. For the public good.
- 308. On account of the heinousness of the crime.
- 309. When the right of the sovereign and of the subject conflict, the right of the sovereign ought to be preferred.
- 310. Whatever is planted in or affixed to the soil, belongs to the soil.
- 311. He who acts through another acts himself.
- 312. He who sticks to the letter sticks to the bark.
- 313. He who is in the womb is considered as already born as far as his benefit is considered.
- 314. He who has not, does not give.
- 315. He who has not the power of alienating is under the necessity of retaining.

- 316. He who does not disapprove, approves.
- 317. He who does not prevent what he is able to prevent, is considered as committing the thing.
- 318. He who does not prohibit when he is able to prohibit, is in fault.
- 319. He who does wrong when drunk must be punished when sober.
- 320. He who is able and ought to forbid and does not, commands.
- 321. He who is prior in time is stronger in right.
- 322. He who derives a benefit ought also to bear the burden; and the reverse.
- 323. He who is silent appears to consent.
- 324. What is not valid in the beginning does not become valid by time.
- 325. What appears to the Court needs not the help of witnesses.
- 326. What is necessarily understood is not wanting.
- 327. What necessity forces it justifies.
- 328. What does not appear, is not.
- 329. What has no beginning has no end.
- 330. What I cannot do through myself I cannot do through another.
- 331. What is first is more true; and what is prior in time is stronger in law.
- 332. The law does not require what is vain and useless.
- 333. When there is no ambiguity in words, then no exposition contrary to the expressed words is to be made.
- 334. Reason is the soul of the law; when the reason of the law changes the law also is changed.
- 335. Money refused releases the debtor.
- 336. Things done.
- 337. A matter untouched (by decision).
- 338. Things done between strangers ought not to affect a third person, who is a stranger to the transaction.

339. A thing adjudged is accepted for the truth.
340. Let the principal answer.
341. The King is greater than individuals, less than all the people
people.
342. The King ought not to judge but according to law.
343. The King can do no wrong.
344. The King never dies.
345. The King cannot do what is unjust.
346. The safety of the people is the supreme law.
347. Knowingly.
348. That you cause to know.
349. To write is to act.
350. Everything is presumed in favor of the legitimacy of children.
351. It is always presumed in favor of marriage.
352. The Senate and the Roman people.
353. An interlocutory order can be revoked, a final order cannot be.
354. Personal services follow the person.
355. So use your own as not to injure another's property.
356. A simple recommendation does not bind.
357. To stand by decisions (precedents).
358. The cause being removed, the effect ceases.
359. The foundation being removed, the structure falls.
360. A subsequent marriage removes the preceding wrong.
361. The highest reason is that which makes for religion, i. e. religion dictates.
362. A suppression of truth is equivalent to an expression of falsehood.
363. Solid land.
364. Testaments ought to have the broadest interpretation.
365. Delivery makes a deed speak.
366. The land passes with its burden.
367. When there is the same reason, then the law is the same, and the same judgment should be rendered as to similar things.
368. Where there is a right there is a remedy.

- 369. Where there is no principal there can be no accessory.
- 370. Where there is no marriage there is no dower.
- 371. The last will of a testator is to be fulfilled according to his true intention.
- 372. What is useful is not vitiated by the useless.
- 373. That punishment may come to a few, the fear of it should affect all.
- 374. The words of deeds are accepted more strongly against the person offering them.
- 375. Words ought to be understood with effect.
- 376. Words ought to serve the intention, not the reverse.
- 377. The old way is the safe way. ●
- 378. With force and arms.
- 379. The laws serve the vigilant, not those who sleep.
- 380. A husband and wife are regarded in law as one person.
- 381. We recommend a visitation.
- 382. An injury is not done to one consenting to it.
- 383. In offences the intent and not the result is looked at.
- 384. The will is taken for the deed.
- 385. The voice of the people is the voice of God.

KEY TO ABBREVIATIONS.

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- Allen—Allen's Reports, Massachusetts.
Bac. Max.—Bacon's Maxims.
Barb.—Barbour's Reports, Supreme Court, New York.
Bl. Com.—Blackstone's Commentaries.
Bouv. Inst.—Bouvier's Institutes of American Law.
Bouv. Law Dict.—Bouvier's Law Dictionary.
Bra. or Brac.—Bætonde Legibus of Consuetudines Angliæ.
Branch M.—Branch's Maxims.
Broom Max.—Broom's Maxims.
Bul. or Bulstr.—Bulstrode's Reports, English King Bench.
Bur. or Burr.—Burrow's Reports, English's King Bench.
Cai.—Caine's Reports, Supreme Court, New York.
Cary's Rep.—Cary's Reports, English Chancery.
Ch. Div.—Chancery Division. Law Reports.
Chanc. Prec.—Precedents in Chancery.
Co. or Co. Rep.—Coke's Reports, English King's Bench.
Code—See Inst.
Co. Inst.—do.
Co. Litt.—Coke on Littleton.
Cro. Car.—Croke's Report, temp. Charles I.
D.—Digest, particularly the Digest of Justinian.
Den. or Denio—Denio's Reports, New York.
Doct. and Stud.—Doctor and Student.
Dow or Dow, P. C.—Dow's Cases, English House of Lords.
Exch.—Exchequer Reports, English (Welsby, Hurlstone and Gordon's Reports.)
Fleta—Fleta Commentaries, Juris Anglicani.
Gill. Ten.—Gilbert on Tenures.
Godb.—Godbolt's Reports, English King's Bench.
Gould Pl.—Gould on Pleading.
H.—King Henry; thus 1 H I signifies the first year of the reign of King Henry I.
Hale, P. C.—Hale's Pleas of the Crown.
Halk. Max.—Halkerston's Maxims.
Hawk. P. C.—Hawkin's Pleas of the Crown.
Hill—Hill's Reports, New York.

Hob. or Hobart.—Hobart's Reports, English Common Pleas and Chancery.

Ill.—Illinois Reports.

Ind.—Indiana Reports.

Inst.—Institutes; preceded by a number denoting a volume the reference is to Coke's Institutes; followed by several numbers, the reference is to the Institutes of Justinian.

Inst. Jur. Civ.—Institutes Juris Civilis.

Jenk.—Jenkin's Reports, English Exchequer.

Johna.—Johnson's Reports, New York Supreme Court.

Johns. Cas.—Johnson's Cases, New York Supreme Court.

Johns. Ch.—Johnson's Reports, English Chancery.

Jur. Civ.—Juris Civilis.

Jus. or Just.—Justinian's Institutes.

Kent.—Kent's Commentaries on American Law.

Ky.—Kentucky Reports.

L. R. C. P.—Law Reports, English Common Pleas.

L. T. (N. S.)—Law Times Report, new series, English Courts with Irish and Scotch cases.

M. & W.—Meeson and Welsby's Reports, English Exchequer.

Miles—Miles Report, Pennsylvania.

Myl. & Co.—Mylne and Craig's Reports, English Chancery.

Noy or Noy M.—Noy's Maxims.

Paige.—Paige's Chancery Reports, New York.

Phill.—Phillimore's Reports, English Ecclesiastical Courts.

Rep.—Coke's Reports, English King's Bench.

R. I.—Rhode Island Reports.

Roll. or Rolle.—Rolle's Reports, English King's Bench.

Sumner.—Sumner's Reports, U. S. Circuit Court, 1st Circuit.

Term or T. R.—Term Reports, English King's Bench (Durnford and East's Reports.)

U. S.—United States Reports.

Ver. or Vern. R.—Vernon's Reports, English Chancery.

Ves. Ch.—Vesey, Senior's Reports, English Chancery.

Ves. Jr.—Vesey, Junior's Reports, English Chancery.

Vin. Abr.—Viner's Abridgement.

Wall.—Wallace's Reports, U. S. Supreme Court.

Wend.—Wendell's Reports, New York Supreme Court.

Went. Off. Ex.—Wentworth on Executors.

Whar. or Whar M.—Wharton's Maxims.

Wils.—Wilson's Reports, English King's Bench and Common Pleas.

Wing. or Wing. M.—Wingate's Maxims

GENERAL VOCABULARY.

A.

- a or ab, prep. w. abl., *from, by.*
 abhórreo, - ére, - ui, —, *shrink from, be averse to, abhor.*
 ábrogo, - áre, - ávi, - átum, *repeal, abrogate.*
 absolutus, - a, - um, - adj., *absolute.*
 abúndans, - ntis, adj., *abundant, unusual.*
 ac, conj., *and.*
 accessórium, - i, n. *accessory, incident.*
 accessórius, - a, - um, adj., *accessory.*
 áccido, - ere, - cidi, —, *happen.*
 accípio, - ere, - cépi, - céptum, *accept.*
 accrésco, - ere, - évi, - étum, *survive, accrue.*
 accúso, - áre, - ávi, - átum, *accuse.*
 áctio, - ónis, f. *action.*
 áctor, - óris, m. *plaintiff.*
 áctum, - i, n. *act.*
 áctus, - us, m. *act.*
 ad, prep. with acc., *based upon, according to.*
 adápto, - áre, - ávi, - átum, *suit, adapt.*
 adhibeo, - ére, - ui, - itum, *give to.*
 adimpleo, - ére, - évi, - étum, *fulfill, carry out.*
 adjournaméntum, - i, n. *adjournment.*
 admitto, - ere, - misi, - missum, *admit, receive.*
 administro, - áre, - ávi, - átum, *administer.*
 adversárium, - i, n. *adversary.*
 ædífico, - áre, - ávi, - átum, *build.*
 æquális, - e, adj., *equal.*
 æquitas, - átis, f. *equity.*
 æquus, - a, - um, adj., *just.*
 æstimátio, - ónis, f. *estimate, value.*
 ætas, - átis, f. *age.*
 ætérnus, - a, - um, adj., *eternal.*
 affirmátio, - ónis, f. *affirmation.*
 alienátio, - ónis, f. *alienation.*
 ágo, - ere, - égi, - áctum, *transact.*
 aliéno, - áre, - ávi, - átum, *alienate.*

aliénus, -a, -um, adj., *another's*.

aliquándo, adv., *sometimes*.

álus, -a, -ud, adj., *other*.

állegans, -ntis, *one alleging*.

allegátio, -ónis, f. *allegation*.

allegátum, -i, n. *allegation, averment*.

állego, -áre, -ávi, -átum, *allege*.

álloquor, -loqui, -locútus sum, *address, speak to*.

álter, -era, -erum, adj., *another*.

áltus, -a, -um, adj., *high*.

ambigúitas, -átis, f. *ambiguity*.

amicus, -i, m. *friend*.

amitto, -ere, -misi, -missum, *lose*.

ámplio, -áre, -ávi, -átum, *enlarge*.

Ánglia, -æ, f. *England*.

angústus, -a, -um, adj., *narrow, restricted*.

angústio, -áre, -ávi, -átum, *restrict, limit*.

ánnus, -i, m. *year*.

ánte, prep. w. acc., *before*.

antéfero, -férre, -tuli, -látum, *prefer*.

antiquus, -a, -um, adj., *ancient, old*.

apértus, -a, -um, adj., *open*.

appáreo, -ére, -ui, -itum, *appear*.

appóno, -ere, -pósi, -pósitum, *apply*.

approbo, -áre, -ávi, -átum, *approve*.

ápud, prep. w. acc., *among*.

áqua, -æ, f. *water*.

arbítrium, -i, n. *award*.

árbiter, -tri, m. *judge*.

árbor, -oris, f. *tree*.

árcus, -a, -um, adj., *binding*.

arguméntum, -i, n. *argument*.

árma, -órum, n. plur. *arms*.

armátus, -i, m. *an armed person*.

ármó, -áre, -ávi, -átum, *arm*.

articulus, -i, m. *article, moment*.

asséntio, -ónis, f. *assent, meeting*.

assignátus, -i, m. *assignee*.

átque, conj., *and*.

aúctor, -oris, m. *assignor*.

auctóritas, -átis, f. *authority*.

aúdio, -ire, -ivi, -itum, *hear*.

aúla, -æ, f. *hall, court*.

auritus, -i, m. *ear witness*.

B.

béllum, -i, n. *war*.

benefícium, -i, n. *benefit, advantage*.

benignus, -a, -um, adj.,
favorable.

billā, -æ, f. *bill, writ.*

bis, num. adv., *twice.*

bóna, -órum, n. plur. *goods, property.*

bónus, -a, -um, adj., *good.*

bónus, -i, m. *bonus.*

brévis, -e, adj., *brief, short.*

bréve, -is, n. *writ.*

C.

cádo, -ere, -cécidi, -cásum,
fail.

cápio, -ere, -cépi, -cáptum,
take, receive.

cássis, -idis, f. *helmet.*

cáso, - áre, - ávi, - átum,
quash.

cásus, -us, m. *event.*

catállum, -i, n. *chattel.*

caúsa, -æ, f. *cause, motive.*

caúso, - áre, - ávi, - átum,
cause, move.

cautéla, -æ, f. *caution.*

cáveo, -ére, -cávi, -caútum,
beware.

cédo, -ere, -céssi, -céssum,
pass, go.

célo, -áre, -ávi, -átum, *con-
ceal.*

cértus, -a, -um, adj., *certain.*

césso, - áre, - ávi, - átum,
cease.

cháta, -æ, f. *writing, in-
strument, deed.*

chártum, -i, n. *deed.*

cito, adv., *quickly.*

civiliter, adv., *civilly.*

clandestinus, -a, -um, adj.,
secret.

clárus, -a, -um, adj., *clear,
plain.*

cláusula, -æ, f. *clause.*

clýpeus, -i, m. *protection.*

coélum, -i, n. *sky.*

cogitátio, -ónis, f. *thought.*

cognósco, - ere, - nóvi, -ni-
tum, *ascertain.*

cógo, - ere, - coégi, - coác-
tum, *compel, drive.*

cohábito, -áre, -ávi, -átum,
live or dwell together.

cómes, -itis, m. *companion.*

commendátio, -ónis, f. *re-
commendation.*

comméndo, - áre, - ávi, -
átum, *commend, recom-
mend.*

commodátum, -i, n. *loan.*

commodum, -i, n. *advant-
age, benefit.*

communis, -e, adj., *com-
mon.*

conátus, -us, m., *attempt.*

concéssio, -ónis, f. *grant.*

concórdo, - áre, - ávi, -
átum, *reconcile.*

concúbitus, -us, m. *cohab-
itation.*

concurró, - ere, - cúrri, -
cúrsum, *concur, conflict.*

conditio, -ónis, f. *condi-
tion.*

confirmatio,-ónis, f. *confirmation*.
 consciéntia,-æ, f. *conscience*.
 consénsus,-us, m. *consent*.
 conséntio, -ire, -si, -sénsum, *consent*.
 cónsequens,-ntis, a d j., *following*.
 cónsequor, -i, -secútus sum, *follow*.
 consérvo,-áre,-ávi,-átum, *observe, regard*.
 consíllium,-i, n. *plan, purpose, advice*.
 cónsto,-áre,-stiti,-státum, *appear*.
 consuetúdo,-inis, f. *custom*.
 cóntra, prep. w. acc., *against*.
 contráctus,-us, m. *contract*.
 cóntraho,-ere,-tráxi,-tráctum, *contract, consummate*.
 contrárius,-a,-um, adj., *opposite*.
 contravénio, -ire, -véni,-vénium, *thwart, run counter to*.
 convalésco,-ere,-válui,—, *gather strength*.
 convéntio,-ónis, f. *convention, contract*.
 córam, prep. with abl., *in the presence of*.

Cornélius,-a,-um, adj., *of Cornelius*.
 córpus,-oris, n. *body, person, gist*.
 córtex,-icis, m and f *bark*.
 crédo,-ere,-didi, -ditum, *believe*.
 créscó,-ere, -crévi, -crétum, *grow, increase*.
 crímen,-inis, n. *crime*.
 criminális,-e, adj., *criminal*.
 cúlpa,-æ, f. *guilt, crime, fault*.
 cúlтус,-us, m. *worship*.
 cum, prep. w. abl., *with, in company with*.
 cum, conj., *when*.
 cunctátio,-ónis, f. *delay*.
 cúria,-æ, f. *court*.
 cúrró,-ere, cucúrri, cúrsus, *run*.
 cúrsus,-us, m. *practice*.
 custódia,-æ, f. *custody, guard*.

D.

damnificátus,-a,-um, adj. *injured, damaged*.
 dánuum,-i, n. *loss, damage*.
 de, prep. w. abl., *about, concerning, according to*.
 débéo,-ére,-ui, -itum, *ought*.
 débilis,-e, adj., *weak*.
 débitor,-óris, m. *debtor*.

débitum, -i, n. *debt.*

décem, indecl. adj., *ten.*

decido, -ere, -cidi, -cisum,
decide.

decipio, -ere, -cépi, -cép-
tum, *deceive, impose*
upon.

decisum, -i, n. *decision.*

decrétum, -i, n. *decree.*

deféctus, -us, m. *defect,*
error.

deféndo, -ere, -si, -sum,
defend.

defénsio, -ónis, f. *defence.*

deficio, -ere, -féci, -féc-
tum, *fail.*

definio, -íre, -ívi, -ítum,
define.

definitivus, -a, -um, adj.,
final.

delegátus, -a, -um, adj.,
conferred, delegated.

delicátus, -i, m. *dainty, or*
facetious person.

delictum, -i, n. *offence,*
crime.

delinquo, -ere, -líqui, -lic-
tum, *be wanting, offend.*

demonstrátio, -ónis, f.
proof.

demónstro, -áre, -ávi, -
átum, *indicate.*

derivativus, -a, -um, adj.,
derived.

dérogo, -áre, -ávi, -átum,
detract from.

dísino, -ere, -sívi, -sítum,
fail.

désun, -esse, -fui, —, *be*
wanting.

déus, -i, m. *God.*

dico, -ere, -dixi, -dictum,
say, affirm, assert.

dictámen, -inis, n., *dic-*
tate.

dies, -éi, m. *day.*

dilátio, -ónis, f. *delay.*

dirimo, -ere, -émi, -émp-
tum, *remove, prevent.*

discérno, -ere, -crévi, -cré-
tum, *dispense, ascertain.*

disco, -ere, -didici, —,
learn.

diskrétio, -ónis, f. *dis-*
cretion.

dispóno, -ere, -pósui, -pós-
itum, *dispose.*

dispositio, -ónis, f. *dispo-*
sition.

divino, -áre, -ávi, -átum,
prophecy, foretell, fore-
cast.

divínus, -a, -um, adj., *di-*
vine.

do, -dáre, -dédi, -dátum,
give, furnish.

dólum, -i, n. *device.*

domínicus, -a, -um, adj.,
of the Lord.

dóminus, -i, m. *lord, mas-*
ter.

dómus, -i, -[us], f. *house.*

dóno, -áre, -ávi, -átum,
give.

dónum, -i, n. *gift.*

dórmíens, -ntis, c. a *sleeping or negligent person*.
dórmio, - íre, - ívi, - (il), - ítum, *sleep*.
dos dótis, - f. *dower*.
dúbíus, -a, -um, adj. *doubtful, ambiguous*.
dúco, -ere, -dúxi, -dúctum *lead*.
dúctor, - óris, m. *leader, guide*.
dum, conj., *while*.
dúo, -ae, -o, num. adj. *two*.
dúplex, - ícis, adj., *two-fold*.

E.

ébrius, -a, -um, adj., *intoxicated*.
ecclésia, -æ, f. *church*.
efféctum, -i, n. *effect*.
efféctus, -us, m. *effect*.
égo, pers. pron., I.
émptor, -óris, m. *buyer*.
éo, -ire, -ívi, -ítum, *go*.
érror, - óris, m. *mistake, error*.
ét, conj., *and, also*.
essentiális, -e, adj., *essential*.
ex, prep. w. abl., *by virtue of, from*.
excéptio, -ónis, f. *exception*.
exclúdo, -ere, -clúsi, -clúsum, *explain, clear up*.
exclúsió, -ónis, f. *exclusion*.

excúso, -áre, -ávi, -átum, *excuse, condone*.
execútió, -ónis, f. *execution*.
exercitátio, -onis, f. *exercise, practice*.
exércitus, -us, m. *army*.
exhibeo, -ére, -ui, -ítum, *mete out, dispense, give*.
existo, -ere, -stiti, -stitum *exist*.
experientia, -æ, f. *experience*.
expositio, -ónis, f. *construction*.
éprimo, - ere, - préssi, - préssum, *express*.
extérieur, -óris, comp. adj., *outer, external*.
extérmino, - áre, - ávi, - átum, *destroy*.
extrémus, -a, -um, adj., *dire, extreme, urgent*.

F.

fácilis, -e, adj., *easy*.
fácinus, -óris, n. *crime*.
fácio, - ere, féci, fáctum, *do, make*.
fáctum, -i, n. *fact*.
fácultas, -átis, f. *opportunity*.
fállo, fállere, fefélli, fálsus, *destroy, fail*.
fálsus, -a, -um, adj., *false*.
fáteor, - éri, fássus sum, *confess*.

fáveo, -ére, fávi, faútum,
favor.

fávor, -óris, m. *boon.*

félíx, -icis, adj., *fortunate,*
happy.

felónia, -æ, f. *felony.*

féro, férre, túli, látum,
bear, carry.

festinátio, -ónis, f. *haste.*

fictio, -ónis, f. *fiction.*

fides, -él, f. *faith, credit.*

filíatio, -ónis, f. *affiliation,*
copulation.

fillus, -i, m. *son.*

finis, -is, c. *end.*

fio, fieri, fáctus sum, to
be made, become.

firmo, -áre, -ávi, -átum,
strengthen.

fírmus, -a, -um, adj., *fírm,*
solid, strong.

fórma, -æ, f. *form.*

fórtis, e, adj., *powerful.*

fortúitus, -a, -um, adj.,
fortuitous.

fórum, -i, n. *forum, court.*

fráctio, -ónis, f. *fraction.*

fraus, -dis, m. *fraud.*

fréquens, -ntis, adj., *fre-*
quent.

frúctus, -us, m. *fruit.*

frústra, adv., *in vain.*

fúgio, -ere, fúgi, fúgitum,
fly from.

fundaméntum, -i, n. *foun-*
dation

fúror, -ári, -átus sum,
steal.

fúror, -óris, m. *madness.*

futúrum, -i, n. *future.*

futúrus, -a, -um, adj., *fu-*
ture.

G.

generális, -e, adj., *general.*
generáliter, adv., *general-*
ly.

géro, -ere, géssi, géstum,
transact.

grammática, -æ, f. *gram-*
mar.

grávis, -e, severe, grave.

H.

hábeo, -ére, -ui, -itum,
have, hold, consider.

haéreo, -ére, haési, haé-
sum, cling to.

haéres, -dis, m. *heir.*

hic, hæc, hoc, demons.
pron., this.

honéstus, -a, -um, adj.,
proper, honest.

hómo, -inis, m. *man.*

hóstis, -is, c. *enemy.*

humánus, -a, -um, adj.,
human.

I.

ibi, adv., *there.*

idem, eadē, idē, de-
mons. pron., *the same.*

ideo, adv., *on that account.*

- ignórans,-ntis, c. *an ignorant person.*
 ignorántia,-æ, f. *ignorance.*
 illusórius,-a,-um, adj., *illusory.*
 immemor, adj., *unmindful.*
 immutábilis,-e, adj., *unchanging, immutable.*
 impérium,-i, n. *government, state.*
 implico,-áre,-ávi,-átum, *imply.*
 impossíbilis,-e, adj., *impossible.*
 impoténtia,-æ, f. *inability, impotence.*
 improbo,-áre,-ávi,-átum, *disapprove.*
 in, prep. w. acc., *into, to, against*, i. e. *motion*, w. abl. *in, on*, i. e. *rest.*
 incértus,-a,-um, adj., *uncertain.*
 incógruus,-a,-um, adj., *incongruous.*
 inconsuétus,-a,-um, adj., *unusual.*
 incúmbo,-ere,-ui,-itum, *rest upon.*
 inde, adv., *thence.*
 indigeo,-ére,-ui,-——, *to be in want of.*
 indivisibilis,-e, adj., *indivisible.*
 induco,-ere,-dúxi,-dúctum, *induce, excite.*
 inferus,-a,-um, adj., *belonging to the Lower World.*
 inficiátio,-ónis, f. *devial.*
 informatus,-a,-um, adj., *informed.*
 infórmo,-áre,-ávi,-átum, *inform.*
 infortúnia,-æ, f. *misfortune.*
 infortúnium,-i, n. *misfortune, disaster.*
 infra, adv., *within.*
 inhabilito,-áre,-ávi,-átum, *incapacitate.*
 initium,-i, n. *beginning.*
 injúria,-æ, f. *injury, wrong.*
 injústus,-a,-um, adj., *unjust.*
 innocens,-ntis, c. *an innocent person.*
 innovátio,-ónis, f. *innovation.*
 innovo,-áre,-ávi,-átum, *introduce.*
 insérvio,-ire,-ii,-(ivi)-itum, *be subservient to.*
 inspicio,-ere,-spéxi,-spéctum, *look into, examine.*
 instánter, adv., *instantly.*
 insufficiénter, adv. *insufficiently.*

intélligo, -ere, -léxi, -lectum, *understand, interpret.*

inténdo, -ere, -di, -tum, -(sum), *strive, presume.*

inténtio, -ónis, f. *intention.*

inter, prep. w. acc., *among.*

interlocutárius, -a, -um, adj., *interlocutory.*

interpretátio, -ónis, f. *interpretation.*

intérpreto, -áre, -ávi, -átum, *interpret.*

interregnum, -i, n. *interregnum.*

intérsum, -ésse, -ful, *be of interest, important to.*

intestinalis, -a, -um, adj., *internal.*

inválidus, -a, -um, adj., *invalid.*

invitus, -a, -um, adj., *unwilling.*

ipse, -a, -um, demons. pron. *himself, herself, itself.*

ira, -æ, f. *anger.*

is, ea, id, demons. pron., *he, she, it, this.*

J.

júbeo, -ére, -jussi, -jussum, *command.*

júdex, -icis, m. *judge.*

judiciális, -e, adj., *judicial.*

judícium, -i, n. *judgment, decision.*

júdico, -áre, -ávi, -átum, *judge, adjudicate.*

juraméntum, -i, n. *oath.*

jurátor, -óris, m. *juror.*

juridicus, -a, -um, a d j., *legal.*

jurisdíctio, -ónis, f. *jurisdiction.*

júrisprudéntia, -æ, f. *jurisprudence.*

júro, -áre, -ávi, -átum, *swear, take an oath.*

justítia, -æ, f. *justice.*

jus, -úris, n. *law, right.*

jusjurándum, -i, n. *oath.*

jústus, -a, -um, adj., *just.*

L.

lánguidus, -a, -um, a d j., *weak, sick.*

legális, -e, adj., *legal.*

legitimátio, -ónis, f. *legitimacy.*

legítimus, -a, -um, a d j., *legitimate.*

léx, -légis, m. *law.*

libero, -áre, -ávi, -átum, *absolve, discharge.*

libertas, -átis, f. *liberty.*

lícitus, -a, -um, adj., *lawful, legal.*

lignum, -i, n. *wood, lumber.*

lis, lītis, *f. suit.*

lītera, -æ, *f. letter.*

lóngus, -a, -um, *adj., long.*

lōquor, -i, locūtus sum, *speak.*

lūctus, -us, *m. mourning.*

lūo, -ere, -lūi, -lūtum, *expiate.*

lux, -lūcis, *f. light.*

M.

magister, -tri, *m. master.*

magistra, -æ, *f. mistress.*

majestas, -ātis, *f. majesty.*

malitia, -æ, *f. malice.*

mālum, -i, *n. evil, misfortune, wrong.*

mālus, -a, -um, *adj., bad, evil.*

māndo, -āre, -āvi, -ātum, *command, commit.*

mānus, -us, *f. hand, custody.*

matrimōnium, -i, *n. marriage, matrimony.*

matūrus, -a, -um, *adj., mature.*

māxime, *adv., especially.*

memōria, -æ, *f. memorial, memory.*

mendācium, -i, *n. falsehood.*

mēns, -ntis, *f. intent, mind.*

mēnsa, -æ, *f. board, table.*

mensūra, -æ, *f. measure.*

mēntior, -iri, -mentitus sum, *lie.*

mēreor, -éri, mēritus sum, *deserve.*

mērīto, *adv., deservedly.*

mētus, -us, *m. fear.*

mīna, -æ, *f. threat.*

mīnor, -āri, minātus sum, *threaten.*

mīsericórdia, -æ, *f. mercy, pity.*

mīser, -era, -erum, *adj., wretched.*

módus, -i, *m. agreement, custom.*

mónstro, -āre, -āvi, -ātum, *point out.*

mórlor, -iri, mórtuus sum, *die.*

mórtuus, -a, -um, *adj., dead.*

mos, -móris, *m. custom, moral.*

móveo, -ére, -móvi, -mótum, *move, remove.*

múltiplex, *adj., multiplex.*

múltus, -a, -um, *adj. many, much.*

múndum, -i, *n. world.*

mutō, -āre, -āvi, -ātum, *change.*

N.

nāscor, -i, -nātus sum, *generate, arise, be born.*

natūra, -æ, *n. nature.*

naturalis, -e, adj., *natural*.
nec, adv., *not*.
necessarie, adv., *necessa-
rily*.
necessitas, -átis, f. *neces-
sity*.
negligentia, -æ, f. *negli-
gence*.
négo, -áre, -ávi, -átum, *re-
fuse, deny*.
nemo, -inis, c. *no one*.
nequáquam, adv., *never*.
nescio, -íre, -ivi (-íi), -ítum,
cease, be unable.
nihil, nil, indecl. n. *noth-
ing*.
nisi, conj., *unless*.
nó cens, -ntis, c. *wrong-
doer, guilty person*.
nóceo, -ére, -ui, -ítum,
harm, do injury.
nómen, -inis, n. *name*.
non, adv., *not*.
nórma, -æ, f. *rule*.
nóscó, -ere, nóvi, nótum,
recognize.
nóster, -tra, -trum, poss.
 pron., *our*.
novérca, -æ, f. *step-mother*.
nóvitas, -átis, f. *novelty*.
nóvus, -a, -um, adj., *new*.
núbes, -is, f. *cloud*.
núbilis, -e, adj., *marriage-
able*.
núdus, -a, -um, adj., *naked*.

núllus, -a, -um, adj., *no
(one)*.
número, -áre, -ávi, -átum,
count.
núnquam, adv., *never*.
núptiæ, -árum, f. plur.,
marriage.

O.

óbligó, -áre, -ávi, -átum,
bind.
obsérvo, -áre, -ávi, -átum,
observe.
óbsto, -áre, -stiti, -státum,
prevent.
obtineo, -ére, -ui, -tén-
 tum, *obtain, acquire*.
occulátus, -i, m. *eye wit-
ness*.
odiósus, -a, -um, adj., *ed-
ious*.
ódium, -i, n. *odium*.
officium, -i, n. *office*.
ómnis, -e, adj., *all*.
ónus, -eris, n. *incumbrances*.
operátio, -ónis, f. *opera-
tion*.
ópus, -eris, n. *superstruc-
ture, work, assistance*.
ópus esse, *to be necessary*.
órdo, -inis, f. *order, course*.
óríor, -iri, órtus sum,
arise, accrue.
orthográphia, -æ, f. *spell-
ing*.
ós, óris, n. *roice*.
óstium, -i, n. *door*.

P.

- páctum, -i, n.** *agreement.*
párco, -ere, -pepérci (pársi), -párcitum (pársuni), *spare, preserve.*
Parliaméntum, -i, n. *Parliament.*
párió, -ere, -péperi, -páritum, *produce, bring about.*
páro, -áre, -ávi, -átum, *pare.*
párs, -rtis, f. *part, side.*
pártus, -us, m. *offspring.*
pátens, -ntis, adj., *patent.*
páter, -tris, m. *father.*
pátria, -æ, f. *country.*
pauci, -órum, m. *plur. few.*
pax, -cis, f. *peace.*
peccátum, -i, n. *crime.*
pécco, -áre, -ávi, -átum, *do wrong.*
pecúnia, -æ, f. *money.*
per, prep. w. acc., *through, by.*
percipio, -ere, -cépi, -céptum, *perceive, understand.*
perénis, -e, adj., *perpetual.*
péreo, -ire, -ivi (-il), -itum, *fail, fall.*
perimpleo, -ere, -évi, -étum, *carry out, execute.*
perpétuus, -a, -um, adj., *continual.*
persóna, -æ, f. *person.*
personális, -e, adj., *personal.*
per túrbo, -áre, -ávi, -átum, *disarrange, throw into confusion.*
pláto, -áre, -ávi, -átum, *affix, annex.*
pléne, adv., *fully, especially.*
poéna, -æ, f. *punishment.*
póndero, -áre, -ávi, -átum, *weigh.*
póno, -ere, pósui, positum, *place.*
pópulus, -i, m. *people.*
posséssio, -ónis, f. *possession.*
possideo, -ére, -sédi, -séssum, *own, possess.*
póssum, pósse, pó tui, —, *be able.*
pótens, -ntis, adj., *powerful.*
poténtia, -æ, f. *power.*
potéstas, -átis, f. *power.*
pótis, -e, adj. *powerful.*
præcédens, -ntis, n. *precedent.*
præféro, -férre, -tuli, -látum, *prefer.*
præmíum, -i, n. *reward.*
præscriptio, -ónis, f. *prescription.*

præsens, -ntis, adj., *present*.

præsúmo, -ere, -súmpsi, -súmpsum, *presume*.

prævénió, -íre, -véni, -vénsum, *prevent by anticipating*.

prétium, -i, n. *price*.

primitivus, -a-um, adj., *original*.

primum, adv., *at first, in the first place*.

principális, is. m. *principal*.

principium, -i, n. *beginning*.

priúsqvam, conj., *before*.

privátus, -a-um, *private*.

privilégium, -i, n. *privilege*.

pro, prep. w. abl., *for, in behalf of*.

probátio, -ónis, f. *proof*.

próbo, -áre, -ávi, -átum, *prore, suppose*.

proditio, -ónis, f. *treason*.

prófero, -férre, -tuli, -látum, *offer*.

prohibeo, -ére, -ui, -itum, *prevent, forbid*.

próprius, -a-um, adj., *one's own, peculiar*.

própter, prep. w. acc., *on account of*.

prospicio, -ere, -spéxi, -spéctum, *look forward*.

prósum, prodéssé, prófui, —, *do good*.

públicus, -a-um, adj., *public*.

púdor, -óris, n. *virtue*.

púer, -eri, c. *child*.

púgno, -áre, -ávi, -átum, *conflict, fight*.

púnio, -íre, -ívi(-íi), -ítum, *punish*.

púto, -áre, -ávi, -átum, *regard, consider*.

Q.

quam, adv., *than*.

quándo, adv., *when*.

quántus, -a-um, adj.,

quaéro, -ere, -sivi(-íi), -sítum, *inquire into*.

quaéstio, -ónis, f. *question, inquiry, investigation*.

quási, adv., *as if*.

que, encl. conj., *and*.

qui, **quæ**, **quod**, rel. pron., *who, which*.

quia, conj., *because*.

quilibet, **quælibet**, **quódlibet**, indef. pron., *any kind of*.

quis, **quæ**, **quid**, interrog. pron., *what*.

quisquis, **quæquæ**, **quicquid**, indef. pron., *anything, something*.

quóties, adv., *as often as*.

R.

rátio,-ónis, f. *reason, rule*.
rátus,-a,-um, adj., *considered, regarded, confirmed*.
recédo,-ere,-cési,-cés-sum, *depart from*.
recipio,-ere,-cépi,-cép-tum, *receive, be capable of*.
recórdum,-i, n. *record*.
récreo,-áre,-ávi,-átum, *renew, restore*.
réctus,-a,-um, adj., *right, just, lawful*.
réctum,-i, n. *right, truth*.
reddo,-ere,-didi,-ditum, *give, make*.
refúgium,-i, n. *refuge*.
régius,-a,-um, adj., *royal, regal*.
réguum,-i, n. *kingdom*.
régo,-ere,réxi,réctum, *control, rule*.
régula,-æ, f. *rule*.
rejicio,-ere,-jéci,-jéctum, *refuse, reject*.
relátio,-ónis, f. *report, motion*.
rélevo,-áre,-ávi,-átum, *be relevant to*.
religio,-ónis, f. *religion*.
remédium,-i, n. *remedy*.
remóveo,-ére,-móvi,-mó-tum, *remove*.

réprobo,-áre,-ávi,-átum, *refuse*.
réputo,-áre,-ávi,-átum, *take*.
requiro,-ere,-sivi(-ii),-situm, *ask, require*.
res,réi, f. *thing, affair*.
rescindo,-ere,-scidi,-scis-sum, *disregard*.
respicio,-ere,-spéxi,-spéc-tum, *look backward*.
respóndeo,-ére,-di,-spón-sum, *answer to, respond*.
respública,-éi,-æ, f. *republic, state*.
restituo,-üere,-ui,-ütum, *correct*.
retineo,-ére,-ui,-téntum, *hold, retain*.
réus,-i, m. *defendant, guilty person*.
réus,-a,-um, adj., *criminal*.
révoco,-áre,-ávi,-átum, *recall*.
rex,régis, m. *king*.
Románuus,-a,-um, adj., *Roman*.
rúo,-ere,rúi,rútum, *fall*.

S.

sacraméntum,-i, n. *faith*.
saépe, adv., *often*.
sálus,-útis, f. *safety*.
sánctio,-ónis, f. *oath, sanction*.

sánctus,-a,-um, adj., *sacred*.

sciénter, adv., *knowingly, with knowledge*.

sciéntia,-æ, f. *knowledge*.

scío, -ire, scívi, scitum, *know*.

scribo,-ere,-scripsi,-scriptum, *write*.

scriptum,-i, n. *deed*.

scrútor,-ári,-átus sum, *scrutinize*.

secrétum,-i, n. *secret*.

secúndum, prep. w. acc., *according to*.

sémel, adv., *once*.

sémper, adv., *always*.

senátus,-us, m. *senate*.

senténtia,-æ, f. *opinion, decree, judgment, sentence*.

séntio,-ire,-si,-sum, *enjoy, bear*.

séquo,-qui, secútus sum, *follow*.

servitia,-órum, n. plur. *services*.

sérvitus,-útis, f. *servitude, slavery*.

sérvo,-äre,-ávi,-átum, *keep, preserve*.

seu, conj., *or*.

sevère, adv., *severely*.

sex, indecl. num. *six*.

sic, adv., *so, in such a manner*.

sicárius,-i, m. *assassin*.

sileo,-ére,-ui, —, *be silent*.

similis,-e, adj., *like*.

simplex,-icis, adj., *simple, plain*.

sine, prep. w. abl., *without*.

sino,-ere, sívi, sítum, *permit*.

singuli,-æ,-a, plur. adj., *individual*.

síve, conj., *or*.

sóbrius,-a,-um, adj., *sober*.

sócius,-i, m. *partner, associate*.

sólum,-i, n. *throne*.

sólidus,-a,-um, adj., *entire*.

sólum,-i, n. *soil*.

sólus,-a,-um, adj., *single, alone*.

sólvo,-ere,-i, solútum, *free, release*.

spécto,-äre,-ávi,-átum, *look at, regard*.

spéro,-äre,-ávi,-átum, *foresee*.

spoliátor,-óris, m. *wrongdoer*.

stípes,-itis, f. *root, stock*.

stipulátor,-óris, m. *stipulator, party using*.

sto,-äre, stéti, státum, *stand, abide*.

strictus, -a, -um, adj.,
strict.

subditus, -i, m. *subject.*

subsequens, -ntis, adj.,
subsequent.

subvenio, -ire, -veni, -ven-
tum, *come to the aid of.*

subverto, -ere, -ti, -sum,
overturn.

succurro, -ere, -curre, -cúr-
sum, *come to the aid of.*

sui, gen. of reflex. pron.,
of himself, herself, etc.

súmo, -ere, -sumpsi, -súmp-
tum, *take up.*

superfluous, -a, -um, adj.,
superfluous.

superior, -óris, m. *princi-
pal.*

súpleo, -ére, -évi, -étum,
supply.

supplicium, -i, n. *punish-
ment, penalty.*

suppressio, -ónis, f. *sup-
pression.*

suspicio, -ónis, f. *suspicio-
ion.*

suspiciósus, -a, -um, *sus-
picious.*

súus, -a, -um, poss. pron.,
his, her, its.

T.

témpus, -oris, n. *time.*

téneo, -ére, -ui, -téntum,
regard, hold.

ténens, -ntis, n. *tenant.*

térra, -æ, f. *land.*

testaméntum, -i, n. *will.*
testament.

testátor, -óris, m. *testator.*

téstis, -is, c. *witness.*

téstor, -ári, -átus sum, *tes-
tify, make a will.*

thórus, -i, m. *bed, couch.*

tólero, -áre, -ávi, -átum,
permit.

tóllo, -ere, -sústuli, -sublá-
tum, *remove.*

traditio, -ónis, f. *delivery.*

tráho, -ere, -tráxi, -trác-
tum, *draws (to it).*

tránseo, -ire, -ivi (-íi), -
itum, *pass.*

tránsfero, -férre, -tuli, -lá-
tum, *transfer.*

tripartitus, -a, -um, adj.,
threefold.

túrpls, -e, adj., *base.*

turpitúdo, -inis, f. *base-
ness, infamy.*

tútus, -a, -um, adj., *safe.*

túus, -a, -um, poss. pron.,
your.

U.

úbi, adv., *where.*

últimus, -a, -um, adj., *last.*

univérsus, -a, -um, adj.,
everybody.

únus,-a,-um, num. adj.,
one.

úsque, adv., *all the way up to.*

úsus,-us, m. *custom, use.*

ut, conj., *in order that.*

úterus,-i, m. *womb.*

útilis,-e, adj., *useful.*

utilitas,-átis, f. *utility.*

útor, úti, úsus sum, w.
abl., *use, enjoy.*

úxor,-óris, f. *wife.*

V.

vágus,-a,-um, adj., *uncertain, ambiguous.*

váleo,-ére,-ui, —, *stand, be able.*

válor,-óris, m. *value.*

vánus,-a,-um, adj., *vain.*

vel, conj., *or.*

vénditor,-óris, m. *seller.*

véndo,-ere,-didi,-ditum,
sell.

vénia,-æ, f. *pardon.*

vénio,-íre, véni, véntum,
go, come.

vérbum,-i, n. *word.*

verificátio,-ónis, f. *proof.*

verifico,-áre,-ávi, -átum,
verify.

véritas,-átis, f. *truth.*

vére, adv., *really, truly.*

vérus,-a,-um, adj., *true.*

véto,-áre,-ui,-itum, *for-*
bid.

via,-æ, f. *way, road.*

vicínus,-i, m. *neighbor.*

videor,-éri, visus sum,
seem, appear.

vigilans,-ntis, c. *watchful*
person.

vinco,-ere, -vici, -victum,
overcome.

vinculum,-i, n. *bond,*
chain, link.

violo, -áre, -ávi, -átum,
disregard.

vir, víri, m. *husband.*

vis, vis, f. *force.*

visitátio,-ónis, f. *visit.*

vítio,-áre,-ávi,-átum, *vi-*
tiate, make void.

vívens,-ntis, m. *a living*
person.

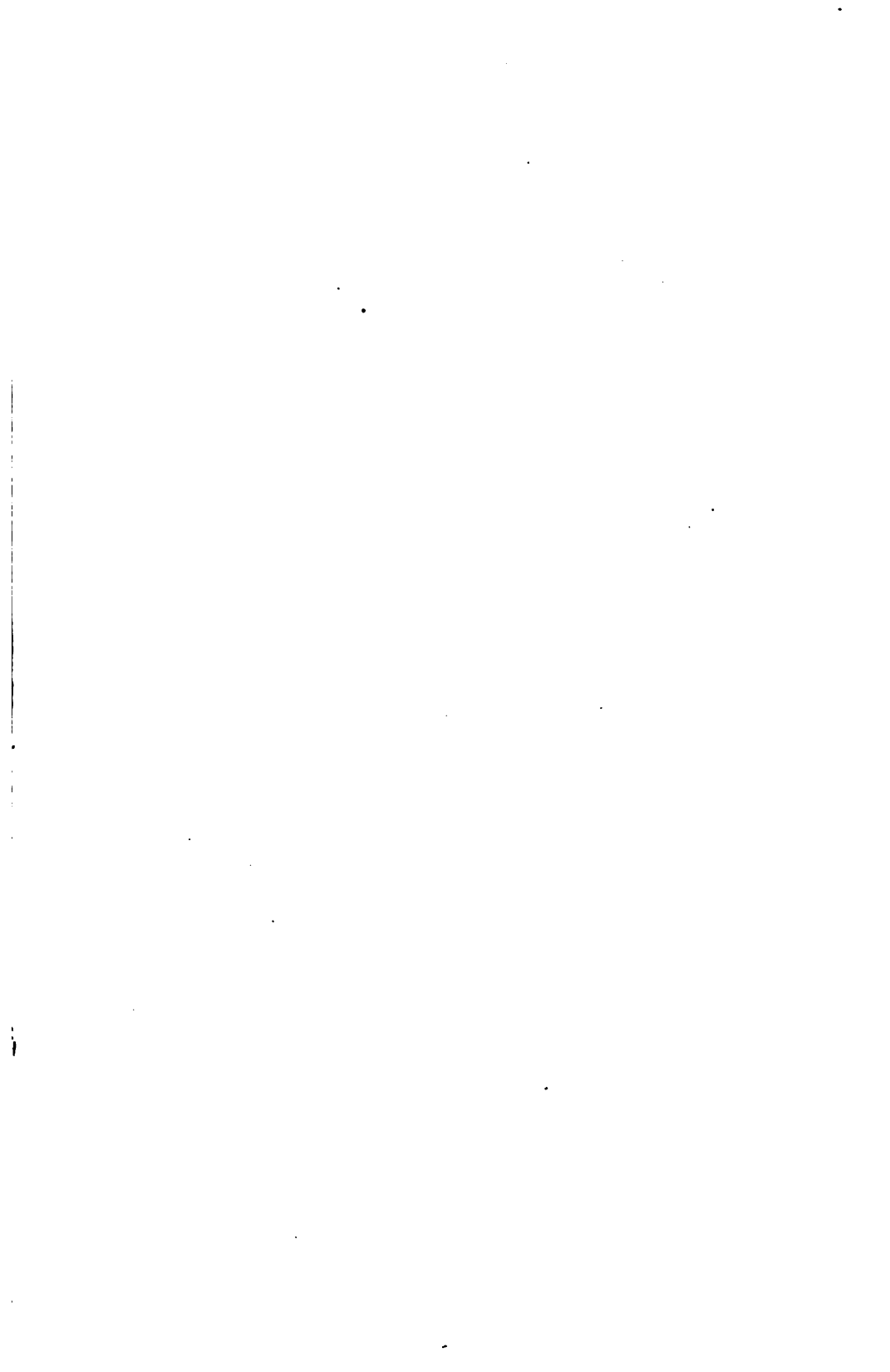
vivo, -ere, víxi, victum,
live.

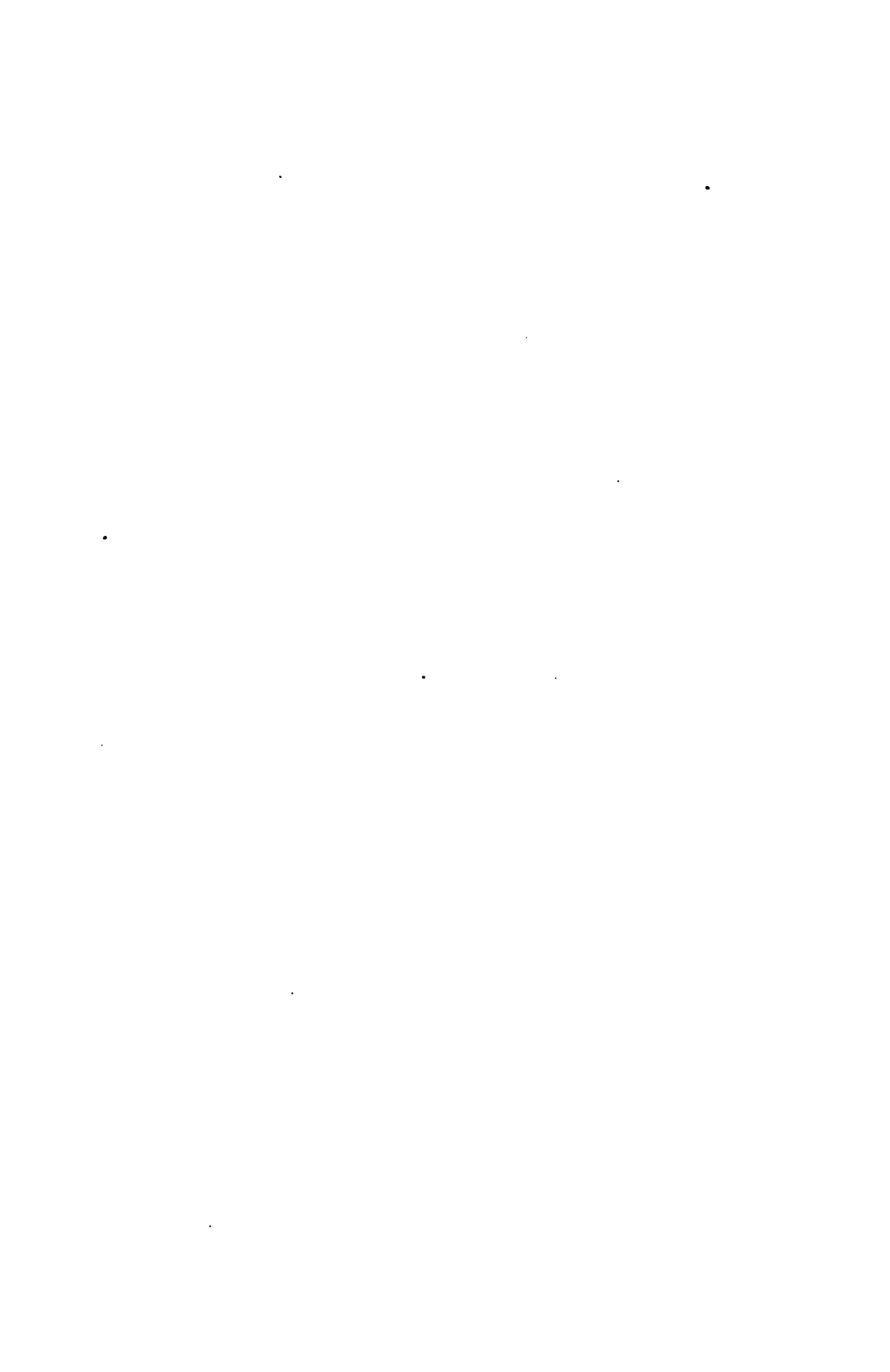
vólo, vélle, vólui, —,
wish.

volúntas,-átis, f. *will.*

vótum,-i, n. *wish.*

vox,-cis, f. *voice.*





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